THE Bombay Gazette,

AND INDIAN DAILY NEWS.

No. 5,408, NEW SERIES.] BOMBAY: TUESDAY, OCTOBER 21, 1862. [Annual Subscription in advance ...Rs. 52

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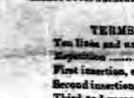

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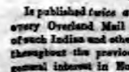

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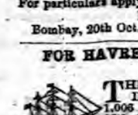

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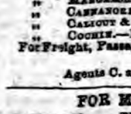

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EDUCATION.

MR. AUSTIN MEARS begs most respectfully to inform the inhabitants of Bombay, that having entered into arrangements with Mrs. Boswell to take over the good will and furniture of the School kept by the late Mr. A. B. BOSWELL, he proposes removing the establishment on the 1st day of November next to the more suitable, airy, and commodious premises situated at No. 9, Rampart Row, next door to Messrs. G. S. King & Co.'s Office, where he hopes to meet with a continuance of that cordial support so freely bestowed for many years upon his predecessor, to merit which, and to give entire satisfaction to the parents and guardians of those Pupils who may be entrusted to his care, he will exert himself to the utmost of his ability.

MR. MEARS begs to intimate that he has had upwards of fifteen years' experience as a Teacher, six of which were passed in one of the largest Public Schools in London; and having gone through the course of instruction prescribed by the COMMITTEE OF COUNCIL ON EDUCATION, he feels confident that a short trial will prove that he is fully capable, of not merely imparting an ordinary Elementary Education, but also of qualifying his pupils for responsible positions, either in the MERCANTILE or ENGINEERING PROFESSIONS.

MR. MEARS is in possession of documents and testimonials which fully bear him out in the professions he has herein made, and these, together with the school, will be freely open at all times, to the inspection of the Parents and Friends of his pupils.

Terms, as heretofore, 10 Rs. per month.

HUNTLEY LODGE.

BOMBAY YOUNG LADIES' INSTITUTION.

MRS. FRASER'S INSTITUTION, hitherto located in the Fort, was opened at Huntley Lodge, Byculla, on the 26th March 1861. MRS. FRASER'S method and course of study are designed to *develop* and *discipline*, rather than to fill the mind: to illustrate the art, and to exhibit the sources of self-education; and to afford the opportunity of combining, reviewing or resuming special branches in rudimental or accomplished scholarship. The great business of the Instructors in the Institution is to let nothing pass through the mind of the child or young lady without reflecting upon it, or without drawing out her minds by questions or preparatory remarks, to *think* and *reason* on the facts she is treasuring up. The neglect of the minds of young ladies in this particular, through their whole progress, is indeed melancholy and astonishing. Programmes containing a rationale of the course of study, the names of referees, terms, &c. &c., may be had on application at the Institution, or to R. T. CROSSLEY, Esquire, Agent for Messrs. Smith, Elder & Co., Bombay.

JUST PUBLISHED.

ACTS OF THE LEGISLATIVE COUNCIL OF INDIA relating to the POLICE, MUNICIPAL GOVERNMENT, and TAXATION OF BOMBAY. Reprinted from the *Calcutta Gazette*. Price Two Rupees.

Bombay Gazette Office.

European Pensioners' and Widows' Home, Tardeo.

SUPPORTED by Voluntary Contributions.—Donations to the above Institution of Clothes, of Books, (suitable for the Pensioners' Library) will be thankfully received and duly acknowledged by the Secretary.

Captain J. T. ANNESLEY, Treasurer.
Captain—Turner, Secretary.

THE LONDON ASSURANCE;

INCORPORATED BY ROYAL CHARTER, 1720, FOR INSURING

BUILDINGS, GOODS, MERCHANDIZE, AND VESSELS IN PORT,

FROM LOSS OR DAMAGE BY FIRE.

FOR RATES OF PREMIUM and full particulars apply to the undersigned, who are authorized to grant Policies of Insurance against Fire.

EWART, LATHAM, & Co.

ROYAL INSURANCE COMPANY.

CAPITAL £2,000,000.

FIRE Premiums for year	1858		£196,148
Do. do.	1859		228,314
Do. do.	1860		292,977
Do. do.	1861		292,402

RESERVED FUND, £1,66,015.

Policies covering risks on Merchandise and Buildings in Bombay continue to be granted by the above Company through their Agents. DETACHED BUNGALOWS AND HOUSEHOLD FURNITURE insured on very favourable terms.

Royal Insurance Company.

LIFE BRANCH.

THE undersigned, under instructions from the Head Office, are prepared to receive Proposals for Life Assurance with the above Company from Residents in India, and will be happy to afford every information regarding Rates of Premium, Participation in Profits, &c. &c., to intending applicants for Insurance.

CAMPBELL, MITCHELL, & Co.,
Agents Royal Insurance Company.

Bombay, 14th October 1860.

PER SHIP "TALBOT."

PRESERVED PROVISIONS.

From D. Hogarth & Co. of Aberdeen and London.

THESE comprise Roast Beef, Corned Beef, Rump Steaks, Boiled Beef, Roast Veal, Veal and Vegetables, Roast Mutton, Hancot Mutton, Irish Stew, Bolted Mutton, Scotch Haggis, Seasoned Beef, Mixed Collops, A lamode Beef, Ox Cheek and Vegetables, Beef and Vegetables, Stewed Veal, Minced Veal, Veal Cutlets, Calf's Heads, Seasoned Mutton, Hashed Mutton, Mutton and Vegetables, Lamb and Peas, Veal and Peas, Curried Veal.

SOUPS.

Mock Turtle, Giblet, Hare, Mulligatawney, Vegetable, Green Peas, Cressi, Vermicelli, Venison, Oyster, Veal, Ox Cheek, Chicken, Kidney, Julliene, Gravy Soup, Mutton Broth, Grouse, Partridge, Fine Bouill, and Essence of Beef.

FISH.

Findon Haddocks, Fresh Herrings, Salmon, Oysters, and Lobsters.

McCOMBIE & WRIGHT,
No. 1, Church Gate Street.

B. B. & C. I. RAILWAY.

WANTED immediately a CHIEF CLERK in the Traffic Manager's Office. Testimonials and references to be sent to the undersigned. None need apply unless thoroughly qualified. Salary Rs. 200 per mensem.

J. B. HAYES,
Traffic Manager.

Traffic Manager's Office, Surat, 6th Oct. 1862.

B. B. & C. I. RAILWAY.

WANTED A SUPERINTENDENT for the Traffic Department at a salary of Rs. 200 a month with travelling allowances and a free bungalow. He will be required to Superintend the working of Trains, Stations, and traffic for a District of about 100 miles. None need apply unless they are thoroughly acquainted with the duties.

Applications will be received at the Office of the undersigned until 25th instant.

J. B. HAYES,
Traffic Manager.

Traffic Manager's Office, Surat, 6th Oct. 1862.

NOTICE

IS HEREBY GIVEN, that the Partnership which hitherto subsisted between FRAMJEE BYRAMJEE and COWASJEE NOWROJEE, who conducted the business of Hotel-keepers under the name of FRAMJEE and Co., as joint proprietors of the Hotel known as the "Clarendon Family Hotel," Byculla, having been dissolved by mutual consent on and from the 1st September 1862, all persons indebted to, or having dealings with the said Framjee and Co., are hereby requested to pay their debts, on account of and in connection with the said Hotel, to Framjee Byramjee, who will henceforth conduct the business thereof on his own sole account. Persons acting contrary to this notice will do so at their own peril and risk.

Dated this 8th day of October 1862.

NOTICE

IS HEREBY GIVEN, that Sites for building or deposit of Materials or Merchandize in the neighbourhood of the Railway Stations of Naudgam, Chalisgam, Pachora, Julgam, and Warrungam, will be sold by Public Auction, at the above named Railway Stations, on 1st November 1862, at 11 o'clock A.M.

The Lots will be each one acre in extent, and will be put up for Auction at an upset price of Rs. 50 per acre. Purchasers will be required to deposit 50 per cent. at the time of Auction and to pay the balance of the purchase-money within one month of purchase. If the purchase-money be not paid within the period specified, the Sale will be cancelled and the money deposited will be forfeited.

L. R. ASHBURNER, Collector.

Dhoolia, 30th Sept. 1862.

WILLIAMSON & Co.,

COMMISSION, HOUSE & GENERAL AGENTS, AND REGISTRARS.

No. 6, BAKE HOUSE LANE, FORT.

THE want of an Agency to supply to gentlemen, arriving from the interior, at Bombay, and at outstations, their *professional* and *domestic requirements* which, for want of local information they experience *considerable difficulty, unnecessary expense* and *sacrifice of their valuable time* in providing themselves with, have induced the undersigned to supply this *desideratum*.

They feel confident from the extensive arrangements they have entered into, to secure *Mess and domestic supplies of the very best quality*; information regarding *House, Tent, Carriage, Horse*, and *articles of Furniture on hire or for sale*, as also of qualified well conducted *artizans* and other *supervising Servants*. They have an efficient staff to clear *Baggage, &c.* through the *Custom House* and *Railway Stations*, to negociate engagement of *passage or freight* per *Steamers, Sailing Vessels, Buggalows, Patamars, Bunder Boats, &c.* to every Port, and they trust to give every satisfaction.

The terms are moderate and detailed in their circulars.

WILLIAMSON & Co.,
Commission Agents, &c.

T. WILLIAMSON

GENTLEMEN'S HAIR CUTTER.

Hair Cut at the Shop ..... Rs. 1
Do. do. at their own Houses ..... „ 2

A supply of the undermentioned Toilet Requisites and Medical Specifics on hand:—

Williamson's Vegetable Hair Oil, for the Growth and Preservation of the Hair. Price Rs. 5 per 4 oz. phials.
Do. Anti-Scurf Hair Lotion. Price Rs. 3 per quart.
Williamson's Asthmatic Powders, Rs. 3 per 1 dozen packets.
Do. Vegetable Dysentery Pills, Rs. 2-8 per dozen.
No. 6, Bake House Lane, Fort.

F. BORSINI

RESPECTFULLY informs Officers of the Army and Navy, Merchants, Bankers, and Inhabitants, that he has this day commenced business of HORIZONTAL DUPLEX AND LEVER WATCH AND CHRONOMETER MAKER.

Every description of Watch and Musical Box repaired expeditiously, and accurately.

Charges moderate.—TERMS CASH.

4

COMMERCIAL.

OMBAY DAILY BILL, SHARE, STOCK, AND FREIGHT LIST.

BOMBAY GAZETTE OFFICE,
Tuesday, 21st October 1862.

EXCHANGE.

On What Place.	Terms.	Rates.
London Banks	6 months' sight	2s. 0¼d.
Do. Credits	Do. do.	2s. 0¼d.
Do. Documentary	Do. do.	2s. 1d.
Calcutta	At sight	99½
Madras	30 days' sight	99
China	60 Do. do.	219 to 223 per $100

SHARES.

Names.	Paid up.	Last Half-Yearly Dividend.	Rates.
BANKS.	Rs.		
Agra Bank	500	3 pr. ct.	85 per cent pm.
Bombay Bank	1,000	4½ do.	90 ditto.
Central Bank	250	2½ do.	11 discount.
Commercial Bank	500	3 do.	8 prem.
Chartered Bank of In. Au. & China	250	2½ do.	2 pr. ct. disct.
Chartered Mercantile Bank of India London and China	250	5 do.	46 pm. ex. divd.
Oriental Bank Corporation	250	8 do.	105 pr. ct. pm.
Madras Bank	1,000	4½ do.	72 pr. ct. pm.
Public Cos.			
Apollo Press Co.	11,000	1,800 per share	Rs. 22,500 p. sh.
Colaba Press Co.	2,700	300 do.	Rs. 6,250 p. sh.
Hydraulic Press Co.	4,000	350 per share	Rs.250 dis. nom.
Elphinstone Land & Press Co.	6,000	125 per share	Rs.1,300 p.sh. pm
RAILWAY Cos.			
G. I. P. Railway Co. Consolidated Stock	218-3-9	pr. ct.	Rs. 4 disct.
Do. New £20 shares	13½-14-6	2½ do.	Rs. 8 disct.
Bombay Baroda & C. I. R. Co.	1,000	2½ do.	Nominal.
Spinning & Weaving Cos.			
Bombay Spinning & Weaving Co.	5,000	1,000 per share	Par.
Great Eastern Spinning & Weaving Co.	1,100	.....	Rs. 400 disct.
Manockjee Petit Spinning & Weaving Co.	550	.....	Rs. 200 disct.
Oriental Spinning & Weaving Co.	2,500	450 Rs. p. share	Rs.75 to 100 pm.
Royal Spinning and Weaving Co.	1,500	.....	Rs. 325 disct.
Victoria Spinning Co.	5,000	.....	Rs. 200 disct.
Bombay United Spinning & Weaving Co.	4,500	.....	Ditto.
Jafar Alee Spinning and Weaving Company, Limited	125	.....	Ditto.
Coorla Spinning Co.	5,000	.....	
Bombay S. N. Co.	500	32 per share	Rs. 100 per sh.
Coorla Lagai Co.	10,000	Rs. 100	Rs. 16,000.
Throstle Mill Co.	4,000	.....	Rs. 200 disct.

GOVERNMENT SECURITIES.

Four Per Cent. Transfer Loan	96
" Loan 1835-36	93
" Loan 1842-43	
" Loan 1854-55	
New Five per Cent. Loan	103½
Five and a Half Per Cent. Loan	111 to 111¼

PRICES OF BULLION, &c.

Sovereigns, each	Rs. 10-5
Bank of England Notes	" 10-3
Spanish Dollars	" 240
Carolus	" 200
Mexican Dollars	" 225
German Crowns	" 213
Five Franc Pieces	" 205
Bar Silver	" 106½ to 104½
Gold Leaf	" 16-7

FREIGHTS.

To Liverpool (Cotton) ready	£3 0s. 0d. to £3 5s. 0d.
" (Seed)	£2 0s. 0d. to £2 2s. 6d.
To London (Cotton)	£3 0s. 0d. to £3 2s. 6d.
" (Seed)	£2 0s. 0d. to £2 2s. 6d.
To China	No enquiries.
To Clyde	
To Calcutta and back	Rs. 20 offered.

(PRICES CURRENT (17TH OCTOBER 1862.)

COTTON at Colaba:		Per candy
Old Broach, ready	Rs.	380 to 382
Old Surat	"	383 to 390
Old Dholleras and Broach-super	"	400 to 405
Old Oomrawuttee	"	375 to 380
Old Comptas	"	370 to 375
Old Dharwar Sawginee	"	390 to 395
Old Barsee, and Nugger	"	360 to 365
Old Veraval	"	355 to 360
Khandeish	"	350 to 352
Old Pondicherry	"	355 to 360
Old Arcotts	"	350 to 355
Old Mangalore	"	350 to 352
OPIUM—Malwa, Rs. 1,503 to 1,510.		
SEEDS—Linseed, Candelsh. at Rs.		7-1 to 7-4 per cwt.
Rapeseed, Guzerat	"	8-4 to 8-6 nominal.
Ungrolly mixed (Black and White)	"	38 to 39 nominal. 40 to 41 nominal.
Niger (Nominal)	"	29 to 30

BANKS.

ORIENTAL BANK CORPORATION.

BOMBAY AGENCY.

EXCHANGE.

THE CORPORATION grant Drafts on London on Demand, and at four one day to six months' sight, and Drafts on Scotland and Ireland on demand; also Circular Notes negotiable in Egypt, Syria, the Continent of Europe, New York, the West Indies, Australia, New Zealand, and the Cape of Good Hope.

The Current rates of Exchange are:—

On London at 6 months' sight		2s. 0¼d.	per Rupee.
"	4 do.	2s. 0¼d.	do.
"	3 do.	2s. 0¼d.	do.
"	2 do.	2s. 0¼d.	do.
"	1 do.	2s. 0¼d.	do.
"	On demand	2s. 0¼d.	do.
On Scotland	do.	1s. 11¾d.	do.
On Ireland	do.		
On Paris, at 3 days' sight		1s. 11¾d.	do.

Circular Notes payable throughout Europe 1s. 11¾d. do.

No Drafts at six months' sight are granted for sums under £20. Those for under £100 are only drawn for payable on demand.

Drafts are also granted on Calcutta, Madras, Ceylon, Hongkong, Singapore, Mauritius, Melbourne, and Sydney.

The Corporation purchases or collect Bills payable in Europe in Colombia, Madras, Ceylon, Hongkong, Singapore, Mauritius, Melbourne, and Sydney.

DEPOSITS.

The Corporation receive Deposits on the following terms:—

Repayable on demand, in sums of Rs. 100 and upwards, 2 per ct. per annum.

Do. in one sum, at 3 months' notice	3	"	"
Do. do. do.	6	"	"
Do. do. do.	12	"	"

No interest allowed on Deposits under Rs. 1,000, nor on deposits over Rs. 50,000, *unless by special arrangement.*

REMITTANCE.

The Corporation undertake to remit money to Europe by each Overland Mail, free of charge.

Parties are requested to make all Orders or Hoondies payable to "*The Bombay Corporation or Order,*" and to state distinctly the name and address of the person to whom the Remittance is to be made, *(if to a Lady, her Christian name or names in full,)* and the sight at which the Bills are to be drawn.

COMMISSION.

The rate of Commission charged by this Agency on the purchase or sale of Government Securities negotiable in Bombay, is ¼ per cent. on the amount invested or realized, and on the collection of Bills, one per cent. and Postage.

The Corporation take charge of Government Paper, Shares in the Bank of Bombay, and other local Stocks, free of all charges, and will draw Interest and Dividends on the same as they fall due, on the following terms:—

If to be remitted through the Corporation, Without charge.
If to be paid in India, a Commission will be charged of ¼ per cent.
On returning Government Paper out of safe custody, ¼ per cent.
Hours of business, 10 to 4 o'clock.
Saturday, 10 to 1 do.

KURRACHEE SUB-AGENCY.

Messrs. Finlay and Co. will grant Drafts on the Corporation and negotiate Bills payable in London and Bombay.

Bombay, 11th October 1862.

CHARTERED BANK OF INDIA, AUSTRALIA, AND CHINA.

INCORPORATED BY ROYAL CHARTER.

Head Office—No. 29, Threadneedle St., London.
Paid up Capital—£644,000.
London Bankers. { The Bank of England. The City Bank.
Branches and Agencies at
Bombay, Calcutta, Singapore, Hongkong, and Shanghai.

BOMBAY AGENCY.

EXCHANGE.

THIS Bank's Agency in Bombay grants Bills Exchange on THE CITY BANK, London, at the following rates, viz.,

6 months' sight (not under £50) at 2s. 0¼d. per Rupee.		
4	Do. at 2s. 0¼d.	"
3	Do. at 2s. 0¼d.	"
2	Do. at 2s. 0¼d.	"
1	Do. at 2s. 0d.	"
Sight	at 1s. 11¾d.	"

DEPOSITS.

Interest is allowed on CURRENT ACCOUNTS at 2 per cent. per annum, on the daily balance, and on FIXED Deposits, as follows:—

Repayable in one sum, at 3 months' notice, 3 per cent.			
Do.	6	do.	5 "
Do.	12	do.	6 "

No Interest allowed on Current Account Balances under Rs. 1,000 nor on Deposits above Rs. 50,000, unless by special arrangement.

REMITTANCE.

The Bank's Agency undertakes to realise Drafts or Hoondies on the Presidency without charge, for remittance to Europe in the Bank's Bills on the City Bank, London.

All Drafts, or Hoondies, forwarded for realisation, to be made payable to the Chartered Bank of India, Australia, and China, or order.

COMMISSION.

On the sale or purchase of Government Paper, Bank Stock and other Securities ¼ per cent. on the amount realised or invested.

The Bank receives Government and other Securities for safe custody, free of charge, the Interest or Dividends thereon being credited to account, or remitted home in the Bank's Bills.

On Interest or Dividends, or proceeds of Securities by sale, ¼ per cent. if the amounts be paid in India, if remitted home by the Bank, no charge.

On delivering up of Securities, deposited for safe custody, ¼ per cent.

Office hours 10 A.M. to 4 P.M.; Saturdays 10 A.M. to 1 P.M.

ANTHONY MORRISON,
October 15th, 1862. Agent.

CHARTERED MERCANTILE BANK OF INDIA, LONDON, AND CHINA.

EXCHANGE.

THE Bank grants Drafts on London, and on Scotland and Ireland, also Circular Notes negotiable in Egypt, Syria, and the principal Towns of Europe, at the following current rates of Exchange:—

On London, at 6 months' sight		2s. 0¼d.	per Rupee.
"	4 do.	2s. 0¼d.	"
"	3 do.	2s. 0¼d.	"
"	2 do.	2s. 0¼d.	"
"	1 do.	1s. 11¾d.	"
"	On demand	1s. 11¾d.	"
On Scotland	do.	1s. 11¾d.	"
On Ireland	do.	1s. 11¾d.	"

Circular Notes for the use of Travellers on the Continent and to Europe, Overland, at 1 day's sight, 1s. 11¾d. "

Drafts at 6 months' sight are not granted for less than £50, and amounts under £20 are only drawn for payable on demand.

The Bank ship purchases Bills and grants Drafts payable in Calcutta, Madras, Ceylon, Hongkong, Canton, Shanghai, Singapore, Penang, and Mauritius.

Bills collected at any of the above places at an uniform charge including postage, of one per cent.

INTEREST ALLOWED.

On Current Accounts	2 per cent.
On Deposits payable on demand, subject to a commission of ½ per cent. on amounts withdrawn	4 "
Deposits for 3 months	4 "
Do. do. 6 do.	5 "
Do. do. 12 do.	6 "

No interest allowed on Current Account Balances under Rs. 1,000 on Deposits over Rs. 50,000, unless by special agreement.

No cheques paid or cash received under Rs. 20.

COMMISSION.

The Bank takes charge of Government Securities, shares in Banks, and other Companies, without charge, and realizes Interest and Dividends thereon on the following terms:—

If to be remitted to the Bank's Drafts, without charge.
If to be paid in India, a Commission will be charged of ¼ per cent.
On returning Government Paper, or Share Certificates out of safe custody, or when sold, on paying the proceeds of such sale in India, a commission will be charged of ¼ per cent. But if proceeds are remitted on the Bank's Drafts, without charge.
Commission charged on purchase and sale of Government Securities and Shares ¼ per cent.

R. D. PEEBLES,
Bombay, 17th Oct. 1862. Acting Agent.

CENTRAL BANK OF WESTERN INDIA.

INTEREST ALLOWED.

ON Current Deposit Accounts above Rs. 1,000, and not exceeding Rs. 50,000, repayable on demand, at 2 per cent. per annum.

On Deposits for 3 months certain 3 per cent per annum.
Do. " 6 " " 5 " "
Do. " 12 " " 6 " "

EXCHANGE.

Bills on London, at 6 months' sight		2s. 0¼d.	per Rupee.
Ditto	at 4 ditto	2s. 0¼d.	do.
Ditto	at 3 ditto	2s. 0¼d.	do.
Ditto	at 2 ditto	2s. 0¼d.	do.
Ditto	at 1 ditto	2s. 0d.	do.
Ditto	sight ditto	1s. 11¾d.	do.

Drafts at 6 months' sight are not granted for less than £50, and amounts under £20 are only drawn for payable on demand.

COMMISSION.

On the sale or purchase of Government and other Securities 5 per cent. on the amount realised or invested.

The Bank receives Government and other Securities for safe custody, free of charge, the Interest or Dividends thereon being credited to account or remitted home in the Bank's Bills, also without charge.

On Interest, or Dividends, or on proceeds of Securities by Sale, ¼ per cent. commission charged, if the amounts be paid in India, if remitted home by the Bank, no commission charged.

On returning Securities out of safe custody ¼ per cent. Commission.

Hours of business, 10 A.M. to 4 P.M.
Saturdays, 10 A.M. to 1 P.M.

EDWIN HEYCOCK,
Bombay, 7th Oct. 1862. Manager.

THE AGRA AND UNITED SERVICE BANK, LIMITED.

ESTABLISHED IN INDIA 1833.
Incorporated by Royal Charter.

HEAD OFFICE, LONDON.
BRANCHES AT CALCUTTA, BOMBAY, MADRAS, AGRA, LAHORE, KURRACHEE, UMBEYLA, SHANGHAI, HONG-KONG and SINGAPORE.
SUBSCRIBED CAPITAL, £2,000,000 (TWO MILLIONS STERLING.)
PAID-UP CAPITAL, £1,000,000 (ONE MILLION STERLING.)
RESERVED FUND, £200,000 (TWENTY LAKS OF RUPEES.)

THE BOMBAY MANAGER of the AGRA AND U. S. BANK, LIMITED, is authorized to draw on the undermentioned Establishments:—

THE LONDON & WESTMINSTER BANK.
THE ROYAL BANK OF SCOTLAND (and Branches).
THE NATIONAL BANK OF SCOTLAND (and Branches).
THE NATIONAL BANK OF IRELAND (and Branches).

THE BOMBAY BRANCH, makes advances on the pledge and deposit of Government Paper, and Loans are granted to Officers in the services on approved Security, and to Regiments for Regimental purposes.

The Bank issues Circular Notes negotiable in Egypt and the Continent of Europe. The following are the current rates of Exchange:—

On London at 6 months' sight		2s. 0¼d.
"	4 months' sight	2s. 0¼d.
"	3 months' sight	2s. 0¼d.
"	2 months' sight	2s. 0¼d.
"	1 month's sight	2s.
"	On demand	
On Scotland		1s. 11¾d.
On Ireland		
Circular Notes		1s. 11¾d.

The London General Manager will generally, if desired, be prepared to discount the Bank's Bills at the current rate of the day.

The Bank purchases Bills and grants Drafts payable at Calcutta, Agra, Madras, Lahore, Kurrachee, Umritsur, Hong-Kong and Shanghai.

INTEREST ALLOWED.

1. On Fixed Deposits, or Current Deposits, payable on demand of not less than Rs. 1,000 or more than Rs. 50,000 2 per cent. per annum.

2. On Fixed Deposits at 3 months' notice, 3 per cent. per annum.

3. On Fixed Deposits at 6 months' notice, 4 per cent. per annum.

4. On Fixed Deposits at 12 months' notice, 5 per cent. per annum.

Fixed Deposits may generally be availed of for the Bank's Bills on London without notice.

Notice of withdrawal can be given at the time of depositing the money, or at any time thereafter.

Interest is credited to Deposit accounts half-yearly.

No Interest allowed on Current Account Balances under Rs. 1,000 or over Rs. 50,000, unless by special agreement.

The Funds of all public bodies connected with the Services and of such other Societies as the Directors may consider eligible for the same privilege, will be received by the Bank at its highest rate of interest for the time being, subject to modified conditions.

The Bank reserves to itself the right of paying off all interest Deposits, and of modifying the terms thereof, on giving one month's notice.

Parties making remittances to the Banks should specify distinctly the Account or Accounts to which the same are to be credited. *Accuracy in this respect is particularly desirable.*

COMMISSION.

The Bank takes charge of Government Securities, Shares in Banks and other Companies without charge, and realizes the Interest and Dividends, for which a charge will be made of ¼ per cent.

On receiving Government Paper or other Securities out of safe custody, a charge will be made of ¼ per cent.

On the purchase or sale of Government Securities and Bank or other Stock, ¼ per cent.

To obviate disappointment to parties at a distance purchasing the Bank's Bills on England, which might reach them too late for despatch by first Mail, it is hereby notified that the Bank will, whenever so requested, transmit the first of Exchange direct, on being furnished with the correct address of the party at Home to whom the remittance is to be sent.

All Orders or Hoondies should be made payable to the Manager of the Agra & U. S. Bank, Limited, or order, and the letters enclosing them should state distinctly the name of the person to whom the Remittance is to be made (*if to a Lady her Christian name or names in full,*) and the sight at which the Bills are to be drawn.

NOTICE.—The Bank will obtain registry of Promissory Notes of the several Loans of the Indian Government, and enfacsimeil for payment of the Interest in London.

Drafts for Interest on such Government Promissory Notes, in the Treasuries of Calcutta and Madras, will be received for encashment at current rates of Exchange, or for realization in India, at the Head Office of the Bank in London, where constituents can also deposit their securities for safe custody.

Parties are requested to address "*The Manager of the Agra and United Service Bank, Limited, Bombay,*" and to make all orders or Hoondies payable to him.

A Branch of the Bank has been lately established at Kurrachee, (Mr. R. E. W. Blake, Manager,) for the transaction of business in all its Branches.

JOHN CARDNO,
Bombay, 20th October 1862. Manager.

SHIPPING.

BOMBAY.

Arrivals.

DATE.	SHIPS.	COMMANDERS.	FROM
Oct. 19	Atith Rahiman	Nacoda	Bushire 4 Sept.
20	Tapteo (s)	Ellison	Porbunder 19 Oct.

Departure.

DATE.	SHIP.	COMMANDER.	TO
Oct. 20	Telegraph (s)	Shepherd	Surat.

PASSENGERS ARRIVED.

Per Steamer *Tapteo*, from Porbunder.—41 natives.

PASSENGERS SAILED.

Per Steamer *Telegraph*, to Surat.—56 natives.

Port Clearance.

The following vessels obtained their port clearances yesterday:—

Ship *Lady Havelock*, J. ON'gill, bound to Liverpool.
Ship *Forest Queen*, J. Balch, bound to Rangoon.

Commenced Loading.

The following vessels began to load yesterday:—

P. and O. Co.'s Steamer *Singapore*, for China.
C. and B. S.-N. Co.'s Steamer *Coringa*, for Kurrachee.
Steamer *Bombay*, for Malabar Coast.

DAILY EXPORTS.

BOMBAY, MONDAY, 20TH OCTOBER 1862.

For London.

Celestial Empire.—75 bales Hemp, 262½ cwt., Carsetjee Sorabjee; 24 cases Chundrooze, 52½ cwt., Hurry Ramjee; 6 cases China Tea, 336 lbs., E. Booder.

Wings of the Wind.—41 bales Senna Leaves 143 cwt. 2 qrs. 23 lbs., Bhugwandass Anundjee; 1 box Country Tea, 1 p., Cohen & Co.

Bursby —600 bags Linseed, 900 cwt., Ralli Brothers.

For Liverpool.

Queen of the West.—51 bales Rags, 178½ cwt., Canjee Walljee.

Hahnemann.—500 bales Cotton, 1,750 cwt., Manockjee & Muncherjee Hirjee & Sons.

Sir John Lawrence.—3½ bales Cotton, 12½ cwt., Huttaysing Kesseesing.

Asuline.—500 bundles Linseed, 250 cwt., Jairam Vlasram; 32 bales Wool, 106 cwt., Jacob Savoo & Co.; 70 bales Cotton, 245 cwt., Mungesh Pandoorung.

Inkermann.—500 bundles Sursee Seed, 250 cwt., Topun Kunderjee; 600 bundles Country Gaillé 250 cwt., Jairam Vlasram; 125 bales Cotton, 437½ cwt., S. & N. Nanabhoy.

Rowantree.—200 bales Cotton, 1050 cwt., Manockjee & Muncherjee Hirjee & Co.; 125 bales Cotton, 437½ cwt., Mathooradass Soonderjee; 259 bales Cotton, 875 cwt. Chatoorbhooz Assaria.

Aaron Browne.—14 bales Cotton, 49 cwt., Canjee Toolsidass.

War Cloud.—1,000 bundles Sursee Seed, 500 cwt., Canjee Jeatha.

Beaton Castle.—225 bales Cotton, 737½ cwt., Premchund Roychund.

Norwood.—51 bales Cotton, 173½ cwt., Purshotum Jetsey.

For Havre.

Cadeuceur.—250 bales Cotton, 875 cwt., Merwanjee Nusserwanjee; 54 bales Cotton, 189 cwt., Panachund Kessowjee; 1 box Curry Stuff, 2 dozens Wm. Nicol & Co.

For Hongkong.

Steamer *Bombay Castle.*—9 kegs Syrup 450 lbs. Hurrivundubdass Balligoovindass.

For Aden.

Bartle Frere.—68 bags Wheat, 136 I. Maunds; 58 bags Ajwa Seed, 36 cwt., Hajee Esmail Sedic; 2 bundles Grey Domestic, 20 pieces; 3 cases China Silk, 396 lbs.; 3 bags Cubebs, 5½ cwt.; 125 cases Cassia, 71 cwt. 16 lbs., Hajee Ayeb Seedic.

For Penang.

Steamer *Singapore.*—1 package Piece Goods, 199 pieces, Lullooobhoy Moolchund.

For Singapore.

Steamer *Singapore* —2 packages Sundries, Lullooobhoy Moolchund.

For Southampton.

Steamer *Benares.*—2 cases Cashmeer Shawls, 38 pieces, Forbes & Co.

STATIONS OF H. M.'s INDIAN NAVY.

1450	Ajdaha, 20 (flag-ship), Frushard	Bombay.
*294	Assyria, (paddle), ...	...
*946	Auckland, (paddle), ...	Bombay
	Augusta, 6 (schooner)	Bombay.
664	Berenice, 2 (paddle), Chitty	Bombay.
*429	Clive, 14 (sloop), ...	Advertised for sale.
309	Ci; de, 3 (screw gun-boat), Sedley ...	Bombay.
294	Comet, 2 (p gun-boat), Selb	River Euphrates.
182	Constance, 3 (schooner), Trollope ...	Aden.
1025	Coromandel, 4 (screw), Carew ...	China.
205	Cuttlefjee (flat)	River Indus.
1022	Dalhousie, (screw), Pengelley ...	China.
387	Elphinstone, 12 (sloop,) De Beles ...	Bombay.
274	Ethersey, (flat), ...	River Indus.
225	Euphrates, (survey ship), Wilsh ...	Surveying Bombay Harbour.
495	Falkland, 12 (corvette), Drought ...	Bombay.
*1450	Feroze, 13 (paddle), Scouce	Bombay.
215	Goolsnar, (paddle yacht), Nacoda ...	Bombay.
90	Georgiana, 2 (tend r)	Persian Gulf.
300	Hugh Rose, (gun-boat) Wood ...	Bombay.
200	Lady Falkland, (paddle), ...	Gwyn.
157	Mahi, 3 (schooner), Gardiner ...	Aden.
167	Marie, (schooner)	Bombay.
49	Nerwudda, (schooner), ...	Kurrachee.
294	Nimrod, 2 (paddle), ...	River Indus.
335	Planet, 1 (paddle), Fletcher	River Indus.
140	Pleiad, (screw), Searle	Bombay.
1246	Prince Arthur, (screw), Brazier ...	Bengal Public Works Department.
335	Satellite, 1 (paddle), Harrison ...	River Indus,
960	Semiramis, 8 (paddle), Wodley ...	Aden.
610	Sir H. Lawrence, 2 (paddle), Jones.	River Indus.
40	Snake, 1 (paddle), Rogers	Bombay Harbour.
258	Tigris, 5 brigantine)	Bombay.
*705	Victoria, 4 (paddle), ...	Advertised for sale.
1003	Zenobia, 9 (paddle), Adams	Bombay.

* Out of Commission.

VESSELS IN BOMBAY HARBOUR.

[c.l. signifies "commenced loading."]

FOR LONDON.

700	Birkby, Purdy—B. and A. Hormusjee.	(c. l. Oct. 18)
1278	Celestial Empire, Murray—M. N. Bhownaggar.	
1117	Edmund Kaye—W. W. Steel—F. Chambers.	
1957	Gloriana, Vaile—Ewart, Latham & Co.	(c. l. Oct. 8.)
940	Wings of the Wind, Whyle—Forbes & Co.	(c.l. Sept. 23)

FOR LIVERPOOL.

1033	Aaron Browne, Rogers—Daiy and Sorabjee.	(c.l.Sept.18)
1093	Azuline, Manson—John Clover & Co.	(c.l. Sept. 8)
1069	Beaston Castle, Corney—R. Scovel & Co.	(c.l.Sept. 5)
1171	Epaminoudas, Heasley.—Wallace & Co.	(c.l. Oct. 3)
1249	G. H. Holt, Robinson—Dadabhoy Ruttonjee & Co.	
974	Glen Monarch, Lewis—F. Charles"	(c. l. Oct.)
1328	Hahneman, Phillips—Rennie, Scovell & Co.	(c.l.Sept.1)
1218	Howden, Verril—Pestonjee Jehangeer.	(c.l. Oct. 13)
1306	Inkerman, Grhat—Coupland & Co.	(c.l. Sept. 16)
1071	James Livesey—J. P. Cornforth & Co.	(c.l. Oct. 15)
1108	James Smith—W. & A. Graham & Co.	(c.l. Oct. 15)
855	Lady Havelock, O'Neill—R. Scovil & Co.	(c.l. Sept. 9)
1286	Lancastrian, Pearson—George S. King & Co.	(c.l.Sept.13)
818	Missouri, Calhoun—Dady Sorabjee & Co.	(c.l. Sept. 19)
1233	Norwood, Stapelton—John Clover & Co.	(c.l. Aug. 30)
1569	Oriental, Ballard—Cursetjee Jamsetjee &Co.	(c.l. July 29)
1435	Queen of the West—Rennie, Scovell & Co.	(c.l. July 23)
919	Rowantree, Lewis—Lyon Brothers & Co.	(c.l. Sept. 17)
1090	Sir John Lawrence—B. & A. Hormusjee	(c.l. Sept 6)
870	Sydney Eggers, Campbell—E. Bates & Co.	(c.l. Oct. 14)
836	Victoria Bridge, Pennington—Ritchie & Co.	(c.l.Sept. 30)
1131	War Cloud, Mackey—Rennie, Scovell & Co.	

FOR HAVRE.

1006	Caduceus, A. Holton—W. Nicol & Co.	(c. l. Sept. 22)

FOR SINGAPORE & BATAVIA.

290	Amrat, Nacoda—H. M. A. Latiff.	(c.l. Oct. 15)

FOR CHINA.

565	Bombay Castle, (s.) J. Wadge—C. M. S. N. Co.	(c.l.Oct.18)
742	Singapore (s), Grainger.	(c. l. Oct. 20)

FOR MAURITIUS.

445	Fazel Currim, Nacoda—H. A. Currim Cadoo.	

FOR CALCUTTA

293	Bartle Frere, Nacoda—Hajee Esmail Sidick	(c.l.Aug.27)
724	Duke of Wellington, J. Wetherall—Comber, Sons & Co.	
327	Prince of Wales, Nacoda—H. J. Abelin.	(c. l. May 12)

FOR COROMANDEL COAST.

680	Ville de Cherbourg, LeMagnon.	

FOR COLOMBO.

150	Royal Victoria, Nacoda—D. Bhickajee Khan	(c.l.Oct.14)

FOR ADEN AND SUEZ.

966	Benares, (s), G. P. Wright.—P. & O. Co.'s	(c. l. Oct. 17)

FOR CLYDE.

462	Ino, Macfie—W. Nicol & Co.	

FOR RANGOON.

834	Forest Queen, Balch—Wallace & Co.	

FOR PERSIAN GULF.

202	Nassree, S. A. Boz—Ludha Samjee.	

FOR KURRACHEE.

435	Coringa (s), Calder—C. and B. S. N. Co.	(c. l. Oct. 20)

NOT FIXED.

1133	Admiral Lyons, Thomson—John Tanner & Co.	
672	Ally, Shepherd—H. E. Cadoo.	
1288	Amna Lyle, Shaw—W. & A. Graham & Co.	
397	Artemise, Nacoda—Cassum Natha. Atith Rahimon, Nacoda.	
*283	C. Commercial de Goa, Marie—Henderson & Co.	(for sale)
1295	Countess of Elgin, Abbott—Gray, Hunter & Co.	
917	Flower of the Forest, McAuly—W. & A. Graham & Co.	
868	Foolaka Sawden, H. T. Patts—Woosman Voydina.	
1354	Herefordshire, Walker—Ewart, Lathan & Co.	(in dock)
369	Juddal Maumon, Nacoda—Adamally Sooltanally.	
1242	Labrador, Quinn—Peel, Cassels & Co.	
30	Mahomed Bux, Nacoda—Cowasjee Eduljee.	
700	Mayaram Dayaram Brady,—H. Sidick Dossal.	
109	Nassrool Hamed, Nacoda—M. Hasein.	
541	Naval Brigade, Moore—D. H. Cama & Co.	
1008	Peerless, Flovin—Lawrence & Co.	
705	Phatel Barry, Nacoda—H. Esmail H. Hubib.	
578	Ralston, T. Davis—W. & A. Graham & Co.	
450	Scindian (s), Morrison—B. B. S. N. Company.	(For sale.)
986	Sillery, McAulay—Wallace & Co.	
962	Tyburnia, Coote—Wallace & Co.	
410	Victoria, Gibbs.—S. Tyabjee & Co.	

P. & O. Co.'s STEAMERS.

1200	Ganges, (s), H. Wilkinson.	
1600	Pottinger. (Laid up.)	

VESSELS IN KURRACHEE HARBOUR.

FOR LONDON.

699	Alexander, Fozdar—McIver & Co.	
1017	Helvellyn, Dalison.	
656	Phœbe Dunbar, Richardson—Dunolly & Co.	
744	Sea Park, Stewart—J. B. Scully & Co.	

FOR MARSEILLES.

495	Union, Ferrari—Dossabhoy Cursetjee & Co.	

FOR BOURBON.

403	Washington, Manand—S. Tyabjee & Co.	

FOR MAURITIUS.

405	Emma, Richmond—T. Lidbotter & Co.	

FOR COLOMBO.

584	Magna Bona, Tyson—McIver & Co.	

FOR CALCUTTA.

756	A. B. Coults, Candlish—Dunolly & Co. Clara, McPhun—A. Bell & Co.	
710	Ukko.	

FOR RANGOON.

496	Hunter, Irwin—Fleming & Co.	

BENGAL.

ARRIVAL.—October 7, Ship *Speedy* Carr, from Calcutta 22nd Sept. put back dismasted in a Gyelone, 380 miles South of Sand Heads.

MADRAS.

ARRIVALS.—October 11, Ship *The Kildare*, Heatherington, from Liverpool 11th June.

12, Barque *Amelia*, Burton, from Vizagapatam 5th October.
Ship *Lady Macnaughten*, Knight, from Mauritius 9th Sept.
Ship *Harkaru*, Fleck, from London, 18th June.
Barque *Virgilia*, Mathew, from Liverpool 19th June.

13, P. and O. S. N. Company's Screw Steamer *Bengal*, G. F. Henery, from Calcutta 9th October.

DEPARTURES.—October 11, Ship *Northumbria*, Smith, to Coconada and Muniptatam.

12, Ship *Belgravia*, to Calcutta.

MILITARY.

BOMBAY.

ARRIVALS.—October 20.

Hadaway, Deputy Inspector General S. M., Medical Staff, on duty, from Poona.
Atchison, Major, Deputy Inspector General, on leave, from Poona.

DEPARTURES.—October 20.

Greenfield, Lieut. J. H., 14th Regt. N.I., to rejoin, to Ahmednuggar.
Cuningham, Lieut. C., 23rd Regt. N.I., to rejoin, to Baroda.
Worgan, Lieut Colonel J., Royal Artillery, on duty, to Kirkee.
Wray, Lieut. Colonel E., Royal Artillery, on duty, to Kirkee.
Francis, Captain J. E., 14th Regt. N.I., to rejoin, to Ahmednuggar.
Burges, Lieut. Colonel S. D., Royal Artillery, on duty, to Kirkee.
Wilson, Lieut. W. H., Staff Corps, on leave, to Matheran.
Griffith, Lieut. J. G. E., 18th Regt. N.I., on leave, to Matheran.

GARRISON ORDERS.

BY BRIGADIER J. LIDDELL, C.B.

Bombay, Monday, 20th October 1862.

The 18th Regt. N.I., the Officer for the Castle Guard to-morrow.

The 33rd Regt., the Adjutant for the day.

1. Lieut. Griffith, Acting Quarter Master, 18th Regt. N.I., has been granted leave of absence, from 21st to 30th instant, to proceed to Matheran.

2. At the recommendation of the Deputy Inspector General of Hospitals, 1st Hospital Assistant Do'Mello, General Duty Presidency Division, now doing duty in the House of Correction is transferred to the 18th Regt. N.I., as a temporary measure.

GENERAL ORDERS BY THE COMMANDER-IN-CHIEF.

Adjt. Genl.'s Office, Head Quarters Poona, 15th Oct. 1862.

Lieut. G. H. Kennedy, of the 3rd Regt. N.I., is confirmed in the appointment of Adjutant to that Corps.

Ensign John Kelly of the 18th Regiment Royal Artillery, is transferred to the Unattached List for employment as a Police Constable.

In accordance with G. G. O No. 688 of the 25th October 1854, Gunner James Murray, of the Local Artillery, is struck off the strength of that Battery and transferred to the Unattached List from the date of his admission into the L

Moteechund Cullianchund examined.—Insolvent owes me Rs. 350. He had jewels which he used to wear every day; he concealed them when he went to Jail; they were an ear-ring, a waist-chain, and a watch, of the aggregate value of Rs. 150. I saw them with him up to the day he went to jail; he does not account for them in the schedule. He had a memorandum book which I saw with him every day; he has not produced it. The book contains accounts of his profits.

Two more witnesses were examined to corroborate the evidence of the opposing creditor.

Insolvent, on being sworn, said,—He kept no account book. He made entries on pieces of paper which he used to tear up from time to time. He had a watch an ear-ring, and a finger-ring about three years which he pledged with a Banian.

The Hon'ble Commissioner said, he was not satisfied with the explanation offered by the insolvent, and he should, therefore, remand the hearing for one month in order to enable the insolvent to clear up these points.

In Re Thomas Smales.

The Clerk of the Court read a petition from Parmeshwer Thomas Smales applying for a certificate on the ground of unpaired health, having been confined in jail for a long time. The petition was supported by a certificate from Dr. Hugon, the Surgeon of the Jail, which stated that Captain Smales had been labouring by long confinement, and that he was suffering from diarrhœa.

Mr. Bayley said, he was instructed to oppose the application, and before stating the grounds of objection he called his Lordship's attention to the 13th Section of the Act which makes it quite discretionary for the Presiding Commissioner to grant such an application or not. The learned counsel represented the judgment creditor who is the Manager of the Glasgow Bank at Glasgow. It was only on the 8th instant that the insolvent's petition was filed, and it was not yet published in the *Government Gazette*, and on Thursday last was received the notice of the application. The learned counsel acted here under power of attorney given by the detaining creditor to two gentlemen in Calcutta who had passed that power to Mr. Judge, the solicitor, instructing him (Mr. Bayley). Under the circumstances, it was difficult for him to meet the application, without communicating with those parties, and he therefore asked the Court to exercise its discretion by refusing the application. The execution creditor obtained a judgment in the late Supreme Court against the insolvent on the 31st March last, and judgment was issued for Rs. 4,000 not for debt contracted in this country, but for judgment recovered in the Court of Common Pleas at Westminster. To that action insolvent had pleaded satisfaction by way of arrest, and a Commission was issued to England for the purpose of obtaining evidence to support his pleas, which, however, he failed to establish, and a judgment was entered against him. Before, however, the Manager could recover the debt in England, the insolvent left for Muow, wherenpon judgment was recovered against him in this country. Had Captain Smales not been arrested by the Government on the criminal charge of embezzlement, he would have evaded this judgment, for he was actually leaving Bombay and was on board the mail steamer. As he (Captain Smales) had evaded payment in England and had tried to do so here, the learned counsel asked that the Court would not, in the exercise of its discretion, grant him the indulgence sought for. The learned counsel asked the Court to refuse the application not only on this ground, but also on that of the impossibility of communicating with the detaining creditor in Glasgow within a short period. The mere fact of the insolvent having suffered from diarrhœa was no ground for granting him protection. Oftentimes doctors disagree, and it may be found not necessary for his health at large.

The Hon'ble Commissioner,—The certificate is given by the Surgeon of the Jail who has no interest in the matter.

Mr. Bayley,—There is no statement in the certificate that the insolvent's life is in danger. There is no statement that the doctor considers it absolutely necessary for the insolvent's health that he should leave the jail. The certificate merely states he is suffering from diarrhœa.

The Hon'ble Commissioner,—I understand the state of things to be that it will take four months for you to communicate with the parties in England. During all that time insolvent could not remain in jail at the serious risk of his health, and an *interim* order is necessary. I will allow him to renew his application on Monday next, and in the meantime it should be ascertained whether the service would be accepted here. We will decide about accepting service next Monday.

Mr. Bayley,—That is a very short time for us to hold communication with parties in Calcutta by post and by telegraph. Mr. Judge in the meantime will accept service provisionally.

The Hon'ble Commissioner,—Privisional acceptance cannot be acted upon. Let the application be made next Court day, unless in the meantime the Surgeon of the Jail certifies that it was necessary for the insolvent's health to let him at large, upon which occasion the application may be made sooner.

HIGH COURT.—APPELLATE SIDE.

(BEFORE SIR M. SAUSSE, KT. C. J. AND MR. JUSTICE HERBERT AND MR. JUSTICE FORBES.)

Monday 1st September 1862.

THE PANWELL ADOPTION CASE.

Bhaisabai, widow of Khandappa Morappa Gulee, Appellant.

Vithoba Khandappa Gulee, Respondent.

Mr. Westropp and *Mr. Dhirajlal* appeared for the Appellant.

Mr. White, Dr. Reid, Mr. Vishau Moreshwar, Mr. Madhaorao, and *Mr. Pandurang* for the Respondent.

Mr. Westropp opened the case by stating that this was a proceeding similar to those instituted in the Ecclesiastical side of the Court. Application had been made to the Judge at Tanna by Vithoba Khandappa, a resident of Panwell, for a certificate of heirship, which the Judge, Mr. Tucker, guided by the opinion of the Assistant Judge, Mr. Melvill, who was deputed to take evidence, had granted. Mr. Melvill, before he quitted his appointment, expressed his opinion in a document, in which he had mentioned the points to which his inquiry was directed. The statements in the document referred to amounted merely to an expression of opinion and were not a finding; and if anything was clear, it was this that the applicant had no right to the certificate. No doubt he had been in possession of the estate of the deceased for four or five years; but during this time he was dealing with it as the agent, and under the direction of the widow. So long as the youth obeyed her orders, she did not interfere with him, but now when he took steps to deprive her of her property, she objected to his continuing any longer as manager. To entitle him to the certificate, he must show that he had been adopted, and that the adoption was valid. The principal evidence of adoption brought by him was the will, which on the face of it, bears an insufficient stamp, and was not therefore admissable in evidence. Mr. Melvill, had fallen into a labyrinth in considering the validity of the adoption; as he based his opinion on some decisions on the statute of Frauds, which were quite inapplicable. He said the will did not require a stamp, as the value of the property thereby disposed of was not stated; nor could the widow dispute the will, as she had taken property under it. But that was not so; it was denied that she took anything under the will. As to the value of the property, the value of some of it was not mentioned; but there was other property the value of which was given. Besides, the will was made when the testator was *in articulo mortis*. Khandappa had become a *Sanyasi*, or devotee some days before the alleged adoption, and the will; and was therefore incapable of adopting a son, or making a will. Mr. Tucker, on being referred to by the late Sudder Adawlut, had made his report, in which he referred to what he had said in his judgment, and to Mr. Melvill's opinion, so that all objections to the evidence were left open. [*Chief Justice.*—If the will was not sufficiently stamped, it would not be necessary to go into the question of its validity.] But the respondent rested his claim upon the will, which was his chief evidence of the fact of adoption. [*Chief Justice.*—This was a mere application for a certificate.] But then the Judge refused to take security. Under the Act it was necessary that security should be taken. [*Chief Justice.*—He was not obliged to take security.] The security was necessary for the benefit of the estate. The learned counsel here read Act 27 of 1860, and continued that the application of Vithoba was not lightly to be dealt with. Before granting the certificate, it was necessary to consider the right to the certificate; and to inquire into the validity of the grounds upon which he rested his right. It was idle to say that he was entitled to it because he had been a manager for five or six years. [*Chief Justice.*—It would appear by analogy to the practice on the ecclesiastical side of the court that an application for a certificate under this act was like an application for letters of administration.] But a stranger was not entitled to administration before a next of kin, or in his absence the Administrator General. The widow had a preference to the son. There was, however, a discretion allowed as to which of the next of kin would be entitled to the certificate; but without special reasons the court would not refuse to grant what was ordinarily done. It was alleged that the applicant was adopted. The learned counsel denied that but said he was merely acting under the appellant's directions; and now, wishing to throw the widow's right overboard, she came here and applied for administration. Unless, therefore, he proved his adoption, and the document which was his principal evidence of it, he had no *locus standi*. *Prima facie* he must be the next of kin, and if he was a mere stranger, he was not entitled to the administration: for, as sister's son he would get nothing, and the widow would inherit all.

Mr. White here said that no evidence had been offered to show that Vithoba was acting as manager under Bhaisabai, nor had it even been so alleged in the Court below.

Mr. Westropp continued: the fact of a will having been made was in itself a strange circumstance; nor did he understand the necessity of it. On the part of Vithoba, on the other hand, there was no evidence to show that he had experienced any difficulty, so as to require a certificate; and that clearly proved that his object simply was to establish his title, and throw out the widow. [*Herbert, J.*—This was a mere certificate of administration; and not a certificate of heirship, as under the old Act.] Why should he be allowed to manage, when he had quarrelled with the widow? He was claiming as a devisee, and came forward for his share. Besides this Mr. Tucker refused to take security. [*Herbert, J.*—The act provided how far this Court was to interfere with the order of the court below.] The act was affirmative, and not negative; there were no express words to take away the power of this court of general superintendence over the acts of the court below. [*Chief Justice.*—Was there any authority to show that there was an appeal, when the court below refused to take security?]

Under the general powers of the court, Regulation II. of 1827, sec. 5, cl. 2 and 3, required that security shall be taken; and the word *may* occurring in statutes is often construed as *shall*. Certainly it was the duty of the judge to take security, when other persons than the petitioner were entitled to property. As to the power of this court to go into the question, the learned counsel observed that, though Act VIII. of 1859 was stated by Mr. Justice Hebbert referred to regular suits; yet, as the act of 1860 was subsequent, it must be supposed to have been framed with due regard to the Procedure act of 1859. It was highly impolitic and injudicious to exclude juris liction; to do which express words were necessary. The person holding the certificate had power to administer, and give discharge to the debtors; so that it was necessary that this court should guard the rights of the persons paying debts to him. To the ecclesiastical side of the court, the administration had to furnish security, and there could be no reason why the rule in the Mofussil should be different. Was vertige integrity greater there than here? The petitioner founded his title upon the will; and if that fell, its right to the certificate also fell.

Mr. White then addressed the Court as follows:—The learned advocate on the other side had said the adoption was founded on the will; but that was not so. There was a large body of evidence to prove the fact; and more had been offered, but Mr. Melvill, being satisfied with what he had heard, considered it unnecessary to take it. [*Herbert, J.*—If the adoption was valid, the will was superfluous.] Just so. The story of the respondent was that the widow, after living with him in peace for five or six years, disputed his title, and he therefore required to be recognised. It was the conduct of the widow; and her adopting another son which necessitated his application for the certificate. There was no evidence given to show that Vithoba had been acting under the widow, and as her agent, on the contrary it was quite patent that he had acted as owner. The fact of his adoption was also as public, as it could be. The Mamlutdar had reported it to Government, and Government had recognised it by appointing him a Municipal Commissioner of Panwell. On looking at the provisions of Act 27 of 1860, it would appear that the certificate bore analogy to administration *ad-colligendum bona*, which did not affect the rights to the distribution of assets. It was clear from section 5 of the act that the taking of security was entirely discretionary with the Judge. The certificate could be granted even to one who was not entitled to a particle of the estate in which case the parties beneficially interested might recover their shares by regular suits. This was a mere *prima facie* proceeding. The opposite party could only come to this Court under section 6, which empowered her, after the certificate was granted, to apply to this Court to supersede it. Mr. Westropp had said he had under Regulation II. of 1827 a right of appeal upon the Judge's refusal to take security; but that Regulation was repealed by the Civil Procedure Code, which in the last of the sections relating to appeals, said that the whole procedure of the Civil Courts was to be conducted in accordance with the Code. The Judge of Tanna had a right to grant the certificate. The only course left open for this Court was to remand the case to the Judge, or to decide in favor of the respondent. It was contended on the other side that the respondents should prove his title, or give security. But a *prima facie* title was sufficient; and the taking of security was discretionary. Mr. Westropp himself had in a recent case argued before the late Sudder Adawlut that the taking of security was discretionary; and the Court so decided it. No appeal was given in that respect. Section 6 of the act which empowered this Court to supersede the certificate did not give it power to require security. In this case it was necessary to look at all the circumstances. From these circumstances Mr. Melvill and Mr. Tucker came to the conclusion that Vithoba was entitled to the certificate; his right to it being founded upon the will, and upon the adoption, which Mr. Melvill thought had been proved. The widow's case was weak, but Vitoba's a strong one; and no security was therefore necessary; and if it should be considered necessary to go into the issues, he should prove his case. It was not an application from a mere stranger, made without any reasonable object for so doing. It would be seen from section 8 of the Act that Government securities could not be negotiated or parted with under the ordinary certificate, without express words giving that power to the holder.

Dr. Reid followed Mr. White, and said in the case referred to by him as having been decided by the late *Sudder Adawlut* on the taking of security, the learned counsel had himself argued against Mr. Westropp, and there the court said that the current of decision in the court had been to leave the taking of security to the discretion of the Judge below. There was one point to which Mr. White had not referred in his argument. Mr. Westropp had said that it was a mere gratuitous proceeding on the part of Vithoba; but he would not have said so, if the court below had taken cognizance of the criminal proceedings which were taken against the Appellant. When Vithoba had been obliged to indict the widow and other persons for a conspiracy to deprive him of his inheritance, the court of sessions asked if he had a certificate of heirship, the want of which obliged the Judge to dismiss the charge. He was therefore obliged to apply for the certificate. He was also compelled to take this course, by certain letters, which the widow had caused to be circulated denying Vithoba's title to Khandappa's estate. The Judge below was satisfied with his title. It was said on the other side that in the application for the certificate Vithoba had stated that his adoption was based on the will. But that was not so. Here Dr. Reid read a literal translation of Vithoba's application, in the early portion of which he stated that Khandappa had adopted him; and then made his will; and it was only in the latter part of the document, where by a clerical error, by which a particle was omitted, that such a meaning as the opposite side gave it could be got out.

Mr. Westropp in reply said that he was not sorry that his learned friend had alluded to the criminal proceedings; because that showed how vexatious their claim was. The widow totally denied having received any property under the will. There were many other persons entitled to legacies under the will, if it could be upheld. It was highly improper to allow a man who should collect debts, and not deal with them when they were collected. The respondent had not established his title, and the Judge below had declined to adjudicate upon it; and since the title was not established, he had no *locus standi* in the Court. [The *Chief Justice* thought the will was admitted.] It was denied. There could be no doubt of that, he could prove it was executed after the testator had become insensible, if the question was left open. [*Chief Justice.*—The certificate gave no other right, but to collect debts due to the deceased. Whether the applicant was already in possession of his own right, or whether he had got it under some one else was immaterial. Any one who alleged a better title had a right to apply for an injunction, or to appoint a manager. The certificate gave the holder a right to give receipts. The respondent had been in possession up to a year before the application for the certificate, and was therefore the best person to apply for it, and collect debts. Women were not competent to do this. As to whether security was necessary, His Lordship thought it was, but still the Act left it at the discretion of the Judge, and the Court had no jurisdiction to interfere with that discretion.] This court had jurisdiction. That was an appeal from the decision of the Zilla Judge, and under section 333 of Act 8 of 1859, there was an appeal from it. [*Hebbert J.*—The section was repealed, and even if it was not it did not regulate such appeals upon orders of judges.] But the Regulation of 1827 was not repealed, if such appeals could not be regulated by that section of the Civil Procedure Code. And whether standing stood on Regulation 8 of 1827, or on the Civil Procedure Code, an appeal lay to this Court. The question of security was of great importance: in not a few cases an appeal was made to the Privy Council from the late Supreme Court upon a question of security. With these observations, the learned counsel left to the Court to say whether they would go into evidence or not.

The Court, after consideration, resolved to go into the evidence given before the Judge of Tanna, and adjourned the further hearing of the case to Wednesday the 3rd September.

Wednesday, 3rd September, 1862.

Mr. Westropp proceeded to comment upon the evidence taken in the cause by the Judge below, by observing that there were two questions to be considered, viz. the validity of the *adoption*; and the validity of the *will*, as to admissibility. In the first place then Vithoba's adoption was not valid: because he was the only son of his parents, he was married at the time of his adoption, and his mother had no authority from her deceased husband to give him in adoption, after his death. It appeared the mother gave in adoption. It was decided in 2 Sad. Div. Rep. Beng. 169, that the adoption of an only son was invalidunder the same Shastra (of Benares and the Deccan) unless it was made by the natural father. [*Chief Justice.*—Sir T. Strange, in the case of the Raja of Tanjore, decided that the adoption of an only son was good.] But the boy must be given by the natural father, and he must be son to the natural and the adoptive father. The adoption of an only son was merely reprehensible and not invalid. A widow was, however, incompetent to give an only son in adoption, without her husband's consent. [*Chief Justice.*—Is there any distinction was to be drawn between one of the same family as the adopter, and one of a different family.] The only way in which an only son could be given in adoption was where he could be a *Dwagmushyayana*; and he could be such, only when he was of the same family as the adopter. The learned counsel then cited a passage from 1 Str. 83, the meaning of which, he explained, was that although the father had no right to give an only son in adoption, still if he gave him, the adoption was good. [*Chief Justice.*—In case the father and mother were dead, and an only son *consented*, could he not be adopted.] Certainly not. The father had a right to religious services from the son; but, if he wished, he might allow another person to share them. In all the cases referred in the books, it was mentioned as an essential element that such consent ought to be given. In 1 Str. 83 it is said, "The result of all the authorities upon this point is, that the selection is finally a matter of conscience and discretion with the adopter, not of absolute prescription, rendering invalid an adoption of one, not being precisely him, who upon spiritual considerations, ought to have been preferred." It was nowhere mentioned, even in the opinion of the Poona Shastris, or works of authority, that an only son could be given by the mother without the father's consent. [*Hebbert J.*—There was a decision which said a widow could adopt a son.] But it did not say that it was an only son. There was moreover a great preponderance of evidence in favour of the ceremony of *Vibhut Vida* having been performed by the deceased; while the evidence adduced in denial of it was of little value; consisting of the statements of one or two witnesses only. Bhaisabai, after her husband had performed that ceremony, was the sole heir to the property; and he could not, afterwards, by any act of his, divest her of it. The decision of the judge below rested upon the adoption, and the will. But the will was inadmissible; and Mr. Melvill had plunged himself into a quagmire with regard to it, by bringing into consideration the statute of frauds, to which the Regulation under which it required to give stamp bore no analogy. Mr. Melvill thought that as the value of the property was not mentioned, the stamp impressed upon it was sufficient. But that was not so; as it would be admitting a document which the Legislature said was not admissible. If the certificate was granted, it would dispose of property to a much larger value than that which would be covered by a stamp of 8 Rupees. Reg. 18 of 1827 went much further than the recent stamp acts, and declared all documents not impressed with the proper stamp not only inadmissible in evidence, but invalid. No doubt, however, if the adoption was proved on all the facts, independent of the will, the question of the will need not be gone into. The Judge of Tanna, Mr. Tucker, ought to have taken security, and as he had not done so, this court should require him to do it. The discretion given by the act was one over which a court of appeal should exercise its control. The Courts of Equity in England had discretion in suits for specific performance; but that discretion was liable to be reviewed and appealed against in the House of Lords. There was a right of appeal from orders of inferior Courts; and if it be not taken away by express words, it ought to exist. It was contrary to all rules of practice on the part of Mr. Tucker not to have taken security; the more so, because large property was to be disposed of by the alleged will. The latter part of sec. 5 of Act 27 of 1860 clearly showed that security was to be taken in proportion to the rights of the parties interested in the property. The word *may* applied to the amount; and did not take away the right to require security when the whole of the assets did not go to the administrator. [*Hebbert J.*—This was an order; and not a decree upon which an appeal might be made; it was a final order: and all final orders are decrees, and come under sec. 332 of the Civil Procedure Code. Mr. Tucker's order which was a decree, came under Reg. XI of 1827 S. 5 Cl. 2, if it did not come under the Code.

Mr. White, for the respondent, remarked that the case stood over to this day, in order that the evidence taken before Mr. Melvill might be perused by the Court, to see how far Mr. Tucker's views were justified. On the first hearing of the case the Court considered whether it was necessary to remand the case to take more evidence; and it came to the conclusion that it was not. The act justified the granting of the certificate on a *prima facie* case; it not being necessary to go into the question of title though it might be done. The case of the respondent was this: he had lived with the deceased for a long time, and had been adopted by him; the will was made in his favor by the deceased; he was in possession for six years, the widow living with him during the greater part of the time, during which she never disputed his title. But the widow now says that the adoption was invalid; that the deceased had no power to adopt, inas much as he had undergone the ceremony of *Vibhut Vida*; and that the respondent was an only son, who had no one to give consent for him. The books on Hindu Law recognised cases of adoption, where the father was dead, or both the father and mother were dead, and the adoption was through to give consent. The consent of the father, or mother, or representative of either was necessary, only where the adopted was not old enough to give consent. The whole law on this subject was contained in 1 Str. 82-88. The writer in this place contemplated the consent of an adult. In the section of Strange referred to, it was distinctly stated that on all these questions of the adoption of an only son the Hindu law was merely directory. The cases referred to in Morley's digest, old series, paras. 62-64, 69 also showed the true rule on the subject to be that if the adoptee be not old enough to consent, the representative of the father should be present to give consent for him. The consent given by the other side was, that Khandappa was civilly dead. The court on reading the evidence would at once come to the conclusion that it was all fabricated; that it was an afterthought of the widow merely to get rid of Vithoba; and this would appear to be more probable on looking to the conduct of the widow, who never thought of this ceremony till she quarrelled with him. There was no evidence nor even an allegation in the pleadings that he had been acting under the widow; but it was clearly shown that he managed the estate as the adopted son of Khandappa that the adoption was public, that it had been reported to Government by the Mamlutdar of Panwell and sanctioned by Government, who appointed them. The learned counsel here commented on the evidence, and observed with regard to *Vibhut Vida* that the evidence did not describe the nature of the ceremony, and that there was no skilled witness produced to state what consequences followed it. The third objection was with regard to the stamp of the will. Wills by the law of England have been exempted from stamp duty for the obvious reason that they were made *in extremis*; and it was very difficult to know the exact value of the property to be affected by a will. If the validity of wills was made to depend upon the sufficiency of a stamp, many wills would fail to the ground. The conduct of the appellant was fraudulent; the judge who tried the case came to that conclusion; and being the best judge of the *bona fides* of the case, did not require security, as he no doubt considered the widow would not succeed, if she brought a regular suit. If the certificate was granted, this court had in no case a right to interfere with the discretion of the judge below as to the taking of security. The appellant had no right to come to this court, but under Act 27 of 1860; and as that was subsequent to the Civil Procedure Code, it must be taken to have dispensed with the provision of the Code, which gave an appeal from all orders, seeing that the holder of a certificate got no title by it, and was liable to a regular suit, the widow ought to file one against Vithoba, and if she made out a case, she could then require him to give security. If this case had been tried before this court, their lordships would have come to the conclusion to which Mr. Tucker had come. His learned friend had said that this case was analogous to a suit for specific performance in equity; but it was not. But even supposing it was, the analogy would not support his views. The Courts of Equity had discretion formerly; but they were now governed by rules, and if parties brought themselves within them, the relief was granted as a matter of course. Every thing in equity was formerly discretionary; but the discretion had now become law, the whole jurisprudence of Courts of Equity being made up of judge-made law.

Dr. Reid for the respondent followed. The rule of the Hindu Law, which prohibits the adoption of an only son was merely directory, and did not invalidate the adoption of such a son actually given, 3 Dig. H. L. 243; 1 Strange 87. The maxim *quod fieri non debet, factum valet* was followed in such cases. The text of Vasishta (3 Dig. H. L. 242) no doubt applies to the *adoption* as well as to the gift; but it would seem to be rather in the nature of a religious injunction, than a legal prohibition. The injunction in Menu, ch. 9 v. 109, according to the *Mitakshara* regards the giver only and not the taker; and the *Vyawahar Mayukh* farther considers it to be clear from the context that there is no legal prohibition at all. Moreover these injunctions regarding the only and the eldest son, and that regarding the son of a sister, do not in any way affect Shudras, *Vayawahar Mayukh Borr's* Translation p. 70, Steele p. 51; and in the latter work at p. 134, according to the existing custom "an only son may be given in adoption to his uncle, in order to secure succession to his *wuttun* or acquired property." That is even among the higher castes. But it was further contended that the mother could not *give* an only son in adoption, without the authority of her deceased husband previously obtained. According to the *Mayukh* (Borr. 73) the highest authority among the Murathas, the sanction of the husband is not requisite, Macnag. Prin. H. L. ch. VI. The adoption of a youth like Vithoba would seem to be rather a case of *self-giving*, the arrogation in fact of the Civil Law; and the *Smudut* of the Ancient Hindu Shastra, still partially surviving in the modern customary law. Chandeshwar and other Hindu Jurists appear to have taken this view of such cases, Dig. H. L. 251. Twenty-five is the limit as to the age of the adoption, but the great majority of the Maratha castes; and even the few castes which require that the boy should be given before the Munj ceremony or before marriage, allow the adoption of a near relation's son after that period. Steele Appen. A. The only essential requisite would seem to be, as in the civil law, that the adopter must be such as that he might have been as regards years, the son of the adopter. As to the other objection to the validity of adoption, namely the alleged incapacity of the adopter Khundappa in consequence of his having gone through a ceremony called *Vibhut Vida*, no allusion even to the existence of such a ceremony had been discovered in any book on Hindu Law. It would require very full and reliable evidence to establish such a custom; but the testimony adduced in that court below, as to the fact of such ceremony having been gone through by Khundappa, and as to its supposed effect on his legal capacity was in the highest degree vague and, contradictary, and much of it mere hearsay wholly inadmissible. With regard to the will, which was not only objected as inadmissible in evidence, owing to the alleged insufficiency of the stamp, but also impugned as a forgery, its execution had been proved by reliable evidence; and the caveatrix Mahalsabai had recognised it by taking her legacy under it; and it was every where a rule in Equity that one could not approbate and reprobate, or blow hot and cold. The will referred to the adoption having taken place; and the adoption itself had been recognised by Government, who appointed Vithoba by an order in the *Government Gazette* a Municipal Commissioner in succession to his deceased adoptive father Khandappa.

Mr. Westropp in reply: The authorities cited by his learned friends were upon a point which he had never denied, namely, that an only son could be adopted among the Shudras. What he said was that an only son could not be given without his father's consent; the reasons of which prohibition were religious. This theory may be an absurd one, but they must proceed upon the basis of the theory. It was the dread of falling into *Put* that necessitated adoption, in order to have the religious services performed which prevented such a calamity. Mr. White cited authorities to shew that that the adopted must consent, but they meant that the parents must consent for him, because, in 99 cases out of 100, minors only were adopted. It was doubted in the books if even after tonsure adoption could take place; but it was nowhere laid down that after marriage an only son could be adopted.

[*Chief Justices.*—The main question was whether the adoptee himself might not consent.] There was no authority to show that he could of his own option deprive his father of the *full allowance* of funeral rites to which he was entitled. The father of an only son might consent; but the son himself could not deprive him of that privilege nor could the mother.

[*Chief Justice.*—Could Mahalsabai, who had herself adopted another son without her own husband's consent, urge this point. And had she any title, when the widow of the son adopted by her was living.] The question was not whether Mhalsabai had title; but whether Vithoba had shown his title to the certificate. He was like a plaintiff in ejectment, and could only succeed by the strength of his own title.

THE COURT intimated its intention to consider its decision; and put the following question to the *Shastri*.

Question.

"To Azam (exalted) Vinayak Lakshmon Shastri of the High Court, the question of the said Court is as follows:—There being an only son of the Shudra class, (and) his father being dead, could he, after he has came to age, become by consent of his mother the adopted son of his maternal uncle? Let the answer hereto be written below this with the passages in support thereof from the books (of authority) 3rd September. Anno, Christ 1862.

R. H. PINHEY, Registrar.

Answer.

In *Mayukh, a Smriti* (recollection) of (the sage) Vashista is thus (given.) One, meaning perhaps an only son, is neither to be given or received. The meaning of this *Smriti* is written by the author of Mitakshara thus:—The prohibition regarding the giving of one (only) son applied only to the giver. Nevertheless this meaning of the author of Mitakshara is not consistent with what is the plain meaning of the *Smriti* passage. Therefore the giving of one (only) son seems to be prohibited. Now among Shadras, if a mother gives her son of age to her brother to be adopted, there is no objection. So it is stated in *Mayukha*. May this be known. *Kudavans* (divine personages *i. e.* of this Honorable Court.)

Authorities.

Mayukha page 107 line 7. "one (only) son should neither be given or received (because) he saves persons." (The Shastre's meaning) one son should not be given and received, because he saves his foreborn (*i. e.* predeceased). [That is by performing their funeral rites, the Shrudha at Gaya, &c., he conveys his foreborn upwards (to heaven].

Mitakshara Vyavaradhaya leaf 54 side 1 line 3. "From the use of poverty (it follows that) in prosperity (the son) should not be given." This prohibition is the giver's (*i. e.* applies to him.) Meaning because it is said that in adverse time the son should be given, in the absence of adverse time (the son) should not be given. This prohibition applies to the giver. To the prohibition (of) one (only) son should not be given (also) applies to the giver alone.

Mayukha page 109 line 3. "He who is married and even he who has a child (or children) can become an adopted son." Meaning.—He who is married or even he who has a son (can) become an adopted son. (From this there seems to be no objection to a grown up son being an adopted son.)

Mayukha page 102 line 4. "Let the mother or father give." Meaning—either the mother or father should give the son to be adopted.

Mayukha page 105 line 8. "A daughter's son and a sister's son could be given to a Shudra only." Meaning a daughter's son and a sister's son could be given to a Shudra.

4th September Anno Christ 1862.

VINAYEK LAKSHMON SHASTRI.

Wednesday, the 10th September.

Mr. Westropp observed that there was a leading error in the question put to the Shastri, as it went on the assumption that the appellant and respondent were *Shudras*; whereas he was informed that they were *Vyushas*. The learned counsel referred to Falkerapa a Vakil of the court, and one who professed the same religion as the parties in the cause, in support of his statement.

The Chief Justice asked if he had referred to Steele.

Dr. Reid objected to his learned friend going into argument again, since the point was never raised before, though the parties were stated to be Shudras in the inquiry before Mr. Melvill, and in the argument before this court; and they were in fact in the position of Shudras.

The Chief Justice in delivering the judgment of the Court observed that their judgment was formed without reference to the opinion of the Shastri. This, His Lordship said, was an application for a certificate under Act 27 of 1860, to collect debts and to legalize the acts done in that behalf before the application. The certificate under the Act gave merely a power to collect the debts of a deceased person, and make over the money, when they were collected, to the person entitled to them as owner. The Act of 1860 gave the Court a discretion in taking security from the person to whom the certificate was granted, and so did Act 19 of 1841; and the whole legislation on this subject went on the assumption that the court below was to exercise its discretion; and their Lordships did not think they would be justified in interfering with that discretion. The appellant Bhalsabai was the widow of Khandappa. Khandappa died as a separated brother without natural issue. *Prima facie* Bhalassbai would be the legal heir, and be entitled to the certificate to collect debts. But Vithoba interfered with her *prima facie* title. He said that he was brought up from his infancy by the deceased; that his marriage was performed by him at his own expense; that he was living at his house up to the time of his death; and that shortly before his death, he was adopted by him. The adoption was made in a public manner, the respondent continued after his uncle's death to manage the estate; and he was treated as his adopted son by Bhaisabai herself and by others. There was no doubt in their Lordship's mind as to the legality of the adoption. Two objections were, however, made; and they were legal objections, such as, if they were true, would make it invalid and leave the whole property to the widow. The first objection was that Khandappa was not in a legal position to adopt a son, because he had undergone the ceremony of *Vibhat Vida*, some days before his death, the effect of which, like that of *Sanyas*, was said to be that the person undergoing it abandoned worldly matters. Their Lordships had great doubt as to whether this ceremony took place at all; but its effects proved to be similar to those of *Sanyas*. No authority had been shown as to the existance of this ceremony as recognised by works on Hindu Law. If there was no written law on the subject, the only mode of proving its permanent effects was by evidence of custom or usage, having the force of law. His lordship therefore thought that it was clear upon the evidence that there was no custom or general established usage recognised as to the effect of this ceremony, even if the court were of opinion that it took place. As then there was no written law, or no custom or usage proved as universal, no effect could be given to the objection. Their Lordships therefore thought they must treat Khandappa as being at perfect liberty to adopt a son. The second objection to the legality of the adoption was that there could be no adoption without the consent of the father: that a widow could not give her son in adoption without authority, express or implied, from her husband. That proposition, his Lordship continued, was at variance with the books of Hindu Law. In 1 Str. 82 it was laid thus down "of her own mere authority, the mother cannot, in general, give her son to be adopted, any more than she can adopt, her husband living; unless he have emigrated, or entered into a religious order." But his assent may be presumed; and, after his death, she does not want it, a widow having this power, and a wife also, if the distress be urgent." But this power did not exist only in distress. 1 Str. 81. "Nor is it necessary that it should proceed, as commonly supposed, from any public calamity, such as actual famine, provided it be sufficiently urgent." And, though there should be no distress to justify the gift, it will be good notwithstanding; not being vitiated by the breach of a prohibition, which is given by the young people in the schools.

Mr. Gardner concluded his statement asking the benefit of the prayers of all Christian friends that God's blessing may descend upon these schools. After this, Mr. J. Mitchell read a paper regarding the Boarding School and the orphanage.

Since last examination till lately, this Institution was under the able care and superintendence of Mrs. Murray Mitchell. She left this station about a month ago to join her husband, now connected with the Free Church Mission, Poona; and was compelled on account of the enfeebled state of her health to leave India, by last mail, to seek rest and restoration in her native land. He hoped the means thus adopted for her benefit would be blessed, and that in due time she would be restored to the mission and her important labours among the females of this large and most interesting country. Her memory will be long cherished by the young people in the schools.

Mr Mitchell then said that Rupees two thousand and nine were realised from the sale of fancy and other articles. Rupees fifteen hundred were set apart for erecting a bungalow containing proper accommodations for the pupils and Mrs. Miller, the premises now occupied being very wretched. Mr. Mitchell then expressed a hope that the ladies in London and at home will kindly aid the funds for this building. Mr. Mitchell remarked that the girls trained in this school had proved themselves very exemplary wives and useful domestic aids.

He then mentioned the case of a girl who had lately died; she was found in an inn thrown away and brought to school by the City Police. She was stolen away from her family by the native mounte-banks, who treated her very cruelly. She died some time ago, giving every token of her faith in Jesus Christ. Sometime before her death she was baptised by Dr. M. Mitchell on her own request.

After these statements were read the girls of the boarding school were examined in English. These girls made far better appearance than the Bazar ones. They were very neatly and tastefully dressed. They looked intelligent and happy. They seemed to possess a considerable knowledge of English with that of their own language. Mr. Gardner examined the second class in the Bible History. This class consisted of girls between seven and ten years old. Their answers in the early history or the Bible tale were very creditable to themselves and their teachers.

The first class was also examined by Mr. Gardner in English reading, parsing, &c., by the teacher in practical arithmetic and history, by Mr. Mitchell in religious knowledge. The girls read distinctly, parsed well, and their answers in practical arithmetic were remarkably good. They seemed to possess also a good knowledge of history, especially that of Greece. The two best and elder girls had written essays, one on "Education" and another on "Commerce." We give the following extract from an essay on education "Men's idea about educating women is quite different. They say by educating them they will do them more injury than any thing else. If so, will not more be injured because they are educated also? Do not women possess the same understanding as men? It is very unreasonable to them, in ignorance, for ignorance sometimes leads them to dreadful crimes."

In an essay on "Commerce" it was said;

"The people of this country were more commercial than they are now. They used to weave their own clothes, and other things they needed. But now the English take cotton from this country and supply clothing to all sorts of nations. So the Hindus have stopped weaving." Mr. Mitchell said these were bona fide productions.

The girls sang English and Marathee hymns very prettily. When the examination was over Mrs. Grierson helped by Mrs. Candy distributed prizes. Mr. Mitchell read a letter from His Excellency the Governor's Aide-de-Camp, to the effect that Lady Frere was prevented from attending the examination on account of the indisposition.

The Chairman then spoke to the following effect:—

I beg to thank those who have kindly attended the examination, and the managers of the proceedings for the interest they have felt in the young people, and the attention they have paid to the proceedings. And I think you will all join with me in congratulating the missionaries and all who act under them, on the great proficiency the young pupils have made, and the admirable behaviour which has marked their appearance before us. I doubt not but you will also think that congratulations on the result of their past labours of the missionaries are not misplaced in present circumstances. I trust that if we think of the exertions, anxieties, and cares which they must have undergone, to attain such results. The expression of our sympathy and admiration will be felt to be too little, and when they are in want of assistance as they seem to be at present that our hearts will be enlarged to help them in their pecuniary need.

I would also wish to address a few words to the young pupils themselves. They will remember this day I hope so long as they live. There are two reasons why I should wish you to remember it. You have been here to see the great interest felt in you. Your kind friends and teachers have shewed much love and kindness to you; and the visitors here today are come to show the interest they feel in you. And you know, some of you at least, who he is who has turned the hearts of your teachers to love you and of the visitors here too feel the same love and sympathy for you. You know that he is none other than God himself, who turns the hearts of men as he turns the rivers of water. His pleasure, I am sure, has been present to behold the evil and the good,—the good in you, that he may delight in it, the evil to long to put it away from you. Now I would have you to rejoice in all this love and regard shown to you so long as you live. But there is yet another view I would have you take of this day's proceedings. You ought to remember them with humility. You cannot think, I am sure, that all the interest felt in you arises from any thing in yourselves. You will not believe that any worthiness of yours has procured you this favour; for you know it is said, "the heart of him who is lifted up, is not upright within him." Put away such thoughts from you, and think of this day with humility. Now, be humble is to be poor in spirit, and you know what a great promise is given to the poor in spirit, "Blessed are the poor in spirit for theirs is the kingdom of heaven." And with poverty of spirit is joined purity of heart. There is no true purity of spirit without purity of heart. Seek constantly purity of heart. All your progress is of no avail if you do not get purity of heart. Let this thought humble you, and if you feel you do want purity of heart, then be abundant in prayer.

If the result of this day's proceedings shall be in any way to produce such an effect on you, we shall rejoice in you, far more than we do today, and if you go on in this way then your and our joy shall fruit in fulness in a better world than this.

Revd. Mr. Fenton pronounced the Benediction, and the merry children went home singing "

treated as if permanently settled, and be redeemed in the same way.

We trust Lord Elgin will interfere with these Rules to amend the 18th which invalidates all titles, and puts the onus of proving the title on the purchaser not the seller. "Caveat emptor" is not true of land when the State is the seller. Meanwhile, what are the Punjab, Oudh, Burmah, the Central Provinces, Bombay and Madras about? Can Rules be passed for Mysore and Berar which we administer nominally, though not really, as a trust?

COTTON SUPPLY.

(From the Englishman, Oct. 8.)

THE Glasgow Chamber of Commerce met on the 27th August and got through a considerable amount of business, but the propriety or utility thereof may be a matter of question. For ourselves, we doubt if any good can possibly arise—at any rate out of one of its transactions. It will be seen that the Chamber of Commerce and Manufacturers of Glasgow have memorialised her Majesty's government "to appoint a Royal Commission to consider and report to her Majesty on the comparative merits of the various schemes suggested, or to be suggested, for obtaining, with the least possible delay, an increased supply of cotton from various quarters of the globe." From the statement made by the Chairman of the Chamber subsequent to the reading of the Memorial by the Secretary, it would appear that the Glasgow manufacturing community are in the position of the dog who drops the bone to grasp the shadow. They have that which is tangible and within their grasp, but they quit it in a vain endeavour to seize that which is at present mythical in the extreme. The Chairman, in support of the memorial, states that he has consulted with Messrs. Buchanan and Dalglish and a Mr. Crum Ewing as to what steps might be taken by the Chamber, and that they had agreed that they might reasonably ask for a Commission, for the chief reason, apparently, that "at present there might be many plans occurring to people by which the supply of cotton could be increased; but there was no quarter to apply to so as to get their views carried out." In Demerara, it appears, there is "any amount of land most suitable for cotton cultivation ..... but there is a want of labor. On the other hand, there are plenty of Chinese very anxious and willing to work, and in that matter government might give some assistance in getting Chinese labor conveyed to the West Indies." Then, there is a glance given to Queensland, to which colony it is sought to import coolies from India, while India, the chief cotton-producing country in the world next to America, is dismissed with the remark that "in India, of course, there were many things that were brought forward in connection with this question." And the statement winds up with the assertion that "at present if any one proposed anything, another man opposed it and said it would never succeed, and they had no tribunal to which they could refer."

Mr. James Stirling opposed the memorial on the very sensible ground that it was a subject with which no Commission could deal, inasmuch as it was one of supply and demand. He might have added that it was one with which the gentlemen forwarding the memorial were more capable of grappling than any others, that they were for the most part more directly interested in an adequate supply of cotton reaching England periodically as the requirements of manufacturers render necessary, and that if they could not secure a supply of the raw material by which they lived no one else could be expected to do so. The framing of this memorial is just a repetition of the selfish shirking policy which has been pursued from the first failure of the imports from America by the entire manufacturing body. It is an attempt to relieve themselves and throw upon the officers of the Crown that responsibility which is clearly and indisputably their own. It is trifling with a question on which the happiness and well-being, if not the lives, of the entire operative class so greatly—we may almost say entirely—depends. None know better than the manufacturers themselves, of whom the Chairman of the Chamber is one, that cotton to any extent is within their reach if they will but do what is necessary to obtain it. They know, too, that without cotton those who have been and are dependent on them for their daily bread, for the very food requisite to maintain life or their offspring, must starve, and yet they will not take upon themselves, but seek rather to throw upon others, the risk, if any, which would starve of the suffering they see daily becoming more and more confirmed around them. There is something so un-English, so foreign to our preconceived notions of the character of our manufacturing classes in thus repudiating the responsibility that is theirs, that we are led to the belief that the evil which has been so long impending and has at length fallen with such force upon the operatives has unsettled and made weak and vacillating the minds of the mill owners. It is a dire calamity, the more so as it is not irremediable, and yet no effort is made to alleviate the suffering caused by it by the only class who can effectually interpose between the victims and starvation, or the ruin of every prospect in life.

The mill-owners and manufacturers of Lancashire and Glasgow need hardly to be told at this juncture that if they will commission the delivery to them of any given quantity and quality of cotton at specified prices they will obtain it. They must take upon themselves the risk of a rise or fall in the market; for no other parties are sufficiently interested in the matter to be induced to do so. There is no scarcity of cotton in India, and there is no limit to the capabilities of the soil to produce it. Quantity and quality are both obtainable to order, but those in India connected in any way with the trade have such a vived recollection of the ruin which overtook those so engaged on the introduction of American slave-grown cotton into England, that while there is a chance of risk from the cessation of hostilities in America and the re-introduction of Southern cotton into Liverpool, they will take no steps calculated possibly to leave on their hands large stocks of unsaleable staple. This risk, as in justice it should be, must be borne by the manufacturers themselves—by those, in fact, who cannot do without it and whose mills for lack of it are at a stand-still. This memorial, therefore, to Lord Palmerston is nothing else than an attempt of the Glasgow manufacturers to throw the responsibility that is theirs on such persons as, should their memorial prove successful, the government may nominate to form a Royal Commission. In the meanwhile they will shield themselves, or seek to do so, behind the action here taken; and if while Chinese laborers are being imported into Demerara and Sonthal coolies into Queensland, American cotton should reach England in sufficient quantities to fully stock the market and so reduce the present high prices to their own rates, they will avail themselves of it and leave the Royal Commission to satisfy those who have been deluded into undertaking the production of cotton in British colonies. From the first out-break of the war in America the feeling of the manufacturers has been essentially selfish. They have cried aloud for cotton to be sent to them, while they would offer no guarantee for its acceptance. They have sought to induce others to embark capital in the production of the staple essential to their requirements, while they have held aloof, declining to run the slightest risk, and while asking India to send them cotton they have been bargaining for that produced in America, ready at a moment to repudiate any claim India might be supposed to have upon them for the cotton she may have forwarded on their demand for it. Selfishness has characterised every step they have taken from the commencement, and as they began so are they ending.

ADDITIONAL CLERGY SOCIETY.

(From the Delhi Gazette, October 11.)

In urging the material wants of India, and persistently exhibiting them for contemplation and supply, we are too apt to overlook one, on which the ultimate success of our mission to the people depends. This one is swallowed up in a confused mass of a thousand heterogeneous necessities, on the realization of nine hundred and ninety-nine of which, to the exclusion of *one*, we thoughtlessly—nay; sinfully, rest the prosperity of the great charge entrusted to us. That *one*, however, although methodically placed at the bottom, under the impression that it will take care of itself in its nature, by fair musings and encouragement, slowly but surely escapes from he superincumbent weight placed upon in under an erroneous impression, and rising to the surface meets us face to face, and will not be denied its place as leader in the first rank of reform, progress, and prosperity. Turn from it as we may, we can neither avoid its searching gaze, nor its loud and persistent demand for attention. "Police" and "Religious neutrality" are requested, again and again, to put it back and stifle its voice. With characteristic patience it obeys the behest for the time, but surely returns to assume its prerogative. "I am Christianity" it says "I have waited long and patiently at your bidding—I in not time I should assume my functions?" "Retire for a short while longer, can't you" is the petulant reply, "you'll spoil everything. Look at our noble educational department, look at our efforts in the cause of peace and prosperity, at our Police, at our Laws, at our Railways, at our Cash Balances, at our Military arrangements, at our Public Works, and—now that you have intruded your unwelcome presence again—just take a peep at our Tea and Cotton prospects, and our fee-simple, and our permanent settlement—and—don't you think that all these things are paving the road smoothly, on which we intend you shall, at some future indefinite period, step along so as not to meet with the slightest obstacle in your course. Of course we know that this is not what you require and enjoin, and all that sort of thing, but just you be quiet a good little while, and let us for once have our own way. We'll raise you up such a kingdom as never was. Don't for a moment imagine, my dear fellah, that we are unmindful of your promise of help in the time of need, or that we forget, or are unthankful for, the patience, long-suffering, endurance—and all that sort of thing—of your master and our master, your God and our God. Not at all. But you see we've got rather a queer set of people to deal with, and we must respect their religious scruples. It would never do, you know, to create another rumpus like the one of 1857; its such a bother and so much expense. Besides we should perhaps lose the continent of India, and then poor old England would be shorn of much of that necessary commodity, we knowing mortals call glory—and all that sort of thing—and that, you know, would be rather awkward, after all our boasting and brag in the face of nations. Don't you see? Now like a good dear soul, retired till we *send* for you. We know what we're about." Aghast at the audacity, trembling at the temerity of the worm, Christianity sojourning, at least, example, to the millions of God's deluded creatures seen around, and whispering the word "patience," once more retire. What rejoicing follows the retirement! What self-gloridpation at the success of the race that has again, for a while, consigned to a disturbed slumber, and a short oblivion, one that is ever, at short intervals, disturbing the otherwise serene possession of a vast and wealth giving Empire!

But our present purpose is not with either "Policy," "Neutrality," or "Equality." We have to deal with the Christianity of the professed follower of Christ, as found in India. In doing so, we must necessarily first turn our attention to the Ministers of the Gospel as found amongst us, and the vaunted "Ecclesiastical Establishment" of the State. Our attention has been forcibly drawn to the subject by the perusal of a pamphlet, "very kindly and considerately, placed at our disposal for the purpose.

It appears to us that, the Press should now require attention to the all-important subject, and advocate there changes so urgently needed. We learn that the covenant hitherto entered into between the Indian Government and its "Chaplains" is to be discontinued as regards those who will in future select this country for the field of their labors. There are other modifications in the existing system also in contemplation, but with their exact nature we are not as yet quite acquainted. Any change, however, we feel will be for the better. There is none we would hail with greater delight than the abolition of the exclusive "service" at present existing, and the system on which its affairs are conducted. In saying so, we do not mean to convey that the pay is more than sufficient for the climate and its drawbacks, or that the pension for services rendered should be withheld, but we do emphatically maintain that, as far as our experience extends, more men are ordained to enter the service in India, because it is "a service" than come out with a holy and well directed zeal, for the spread of the religion they profess to support and extend. Take the "service" as a whole, examine the ministers it numbers in its ranks as a body, and it becomes painfully apparent that we have much to grieve over. We miss that earnestness, that genuine piety, that sincere watching over the welfare of a flock, so dearly associated in our memories with the pious, but wretchedly poor, men under whom we sat and listened in the well remembered churches near the homes far away. Religion in India, under the circumstances, becomes a routine of simple official business, and there are but very few, in comparison to the body of ministers employed, who can be pointed to as men wholly and solely devoted to upholding the faith. How many "not in society" can say they see the minister of the church they frequent, or receive instruction from him, *out* of that church? We challenge them to come forward, and surprise the world with the smallness of their number. "They are paid for attending to the military only, and that duty occupies their whole time," we hear some one say. We grant that the State pays them, and originally entertained them exclusively for its servants. But do they in all cases, or even in the majority of cases, honestly perform the duty for which they are paid? And are they, as teachers of the Gospel, bound not to do more than that for which rupees are ostensibly doled out to them? "Chaplains" are now appointed to "Civil stations" as well. Where "Civil stations" are not large enough to justify the measure, those not in military employ form but a very small body. Fair enough. In our remarks we are actuated by no other motive than a sincere desire to cause a change for the better, to rouse religious zeal and energy, and to remove the stigma at present resting on Anglo-Indians, of being dead to the influence of their profession. Among Anglo-Indian Chaplains, we have known men devoted to their duties as Christian teachers, but they are few, and if we compare the men *in the service* with those similarly employed, but out of it, we shall be justified in asserting the necessity, of urging the suppression of that *exclusive* service existing at present. Till it is suppressed, religion will languish, and it will be difficult, if not impossible, to separate those actuated by rupees, from those by motives holy.

Another very just and specious complaint of a taxpaying community is, that in the paucity of spiritual advisers. We have already lately shown in a preceding number of this journal, that the extent of territory comprising the See of Calcutta is far, very far, too great to be overlooked by one Bishop. If we look only to the list of Chaplains comprising the "Ecclesiastical Establishment" of the Government of India, one Bishop, with his Archdeacon and the Registrar, are apparently sufficient for the duties entrusted to them. In so saying we allude, of course, only to the routine, correspondence, and so forth. We hope, however, and think, His Lordship of Calcutta aspires to something higher, and holier. But these or may be his wishes, inclinations, and aspirations. It is a physical impossibility that he can superintend, as a Bishop should superintend, the labors of the zealous members, or mark and check the sinful neglect of the time serving, and careless portion of his Clergy. Being aware of this impossibility, the great want is obvious, and the remedy clear. We require *at least* another Head for the Church, and he to be located in these Provinces, quite distinct from the Calcutta See.

On referring to the official list, we find twenty-eight Chaplains, and sixty-two Assistant Chaplains as in the "service." Will any one declare that, even if each and all were desirous of serving their master as they should this number even remotely approaches the requirements of the Christians in this land, after deducting those attended to, and guided by, Missionaries and others? Very, very far from it. The question was frequently mooted during the reign of the East India Company, and as often referred home for consideration and orders. The invariable reply was a decided negative. The "Ecclesiastical Establishment" figured in the official returns as part of the system. It answered the purpose for which it was instituted—a decoy—and that was enough. The spiritual advancement of the human race entered into no part of the calculations of a powerful mercantile association; the small establishment allowed was therefore a great stretch of disinterested generosity and was landed as such. We would be sorry indeed to apply the same reasoning to the crown of England, and feel morally certain that any demand for additional spiritual aid would meet with a ready response. We urge and demand the request being made.

Leaving aside the occasional, but generous, aid of the comparatively few ordained Missionaries of the established Church working in India, on a bear pittance as regards pay, the only attempt to furnish additional ministers, is that made by the Additional Clergy Society, founded by Bishop Wilson in 1841 after repeated attempts to awaken the Christian zeal lying dormant at the Palace in Leadenhall street. We find from the report before us, that *nine Clergymen* had been furnished by the Society, for outstations. A drop in the ocean. If it were in a position to furnish a hundred and nine they, added to the "Ecclesiastical Establishment," would not be a sufficient number to tend the vineyard awaiting their services. But as the Society derives its support from private benevolence only, its funds will not admit of more being done. It is a significant fact that, private benevolence furnishes in number as much as a tenth of that supplied by a Government, which boasts of its revenues and its principalities. We turn with some anxiety to learn the salaries drawn by these gentlemen. They have 250 per mensem for the first three years, and after that 300 rupees, exclusive of house-rent but inclusive of any allowance the government may be induced to give. This naturally leads to the enquiry—what allowance *does* the government afford? It gives the munificent sum of *one hundred* rupees a month, when it is considered that a clergyman is required at a station, and the "regular establishment" cannot spare one, but, not to yield too much of the dignity of its exalted position, it enjoins that the "local governments" must "recommend" a man for the allowance. The Bishop is of course incapable of forming any opinion on the subject. We have no doubt some will argue that the government grant is "not so bad," under the circumstances. But will they extol the liberality which prompted the following?

"The allowance of Rupees 100 per month must cease whenever the clergymen of the Society cease to perform the duties of the station, whether it may be on account of *sickness* or on account of their going away *for relaxation from work*."

The Italics are ours, reader. They are prompted by a feeling of intense admiration for the beneficence of the Government of that great Christian nation, of which we proudly proclaim ourselves a unit. The paragraph bears evidence of having been penned in a moment of happy inspiration, and therefore deserves our almost unanimous admiration. Our pen is too feeble to express the proud consciousness of living in the nineteenth century, the age of religious advancement, and social progress! Comparisons *are* odious, but one cannot help contrasting this generosity with those rules, under which the members of the "Ecclesiastical Establishment" systematically berake themselves to the Hills, and other disagreeable places, leaving the unhappy flock to the care of stray Missionaries.

But the bountiful recognition of the zealous yet misguided Bishop Wilson, does not stop short at that. His endeavours to increase the clergy must be supported, at least to a certain degree. Travelling allowance is the most convenient mode of shewing appreciation, and the following saw the light:—

"If at any time, instead of taking Chaplains off their regular duties for the purpose of visiting the Outstation, the Lord Bishop may be able to avail himself of the services, on that occasion, of some other Clergymen of the Established Church, of *whose qualifications, although not in our regular employ, he feels assured*, we shall *not object* to the payment to such Clergyman of the amount, which would have been received as an extra allowance by a *regular* Chaplain for the performance of this duty."

We can only express our intense delight by shouting—Hear! Hear! But the idea of the Lord Bishop knowing anything of the *qualifications* of Clergymen! Very ridiculous! Besides, how can there be anything of the kind existing out of "our regular employ." We must really protest against all this ill-judged, thoughtless, liberality. "A tax-paying community" has a right to demand greater moderation in the disposal of the public revenue. Its preposterous to suppose we shall long tamely submit to it when we have Pagan temples and Mahomedan shrines to support, and beautify, and embellish. That one has done so under every circumstance, or how will the misguided beings around us be brought to understand "Neutrality" and "Equality." Let the public look to it. We can do no more than direct attention to the subject, and carefully record every fact bearing on it that may from time to time, be brought to our notice by men conscious of the business demanding immediate action. Then Bishop will, during this cold season, visit many stations in these Provinces. If the community be in earnest he will be prepared to receive deputations on the important subject, and will doubtless not object to make himself the medium of communication with the Viceroy, and—Sir Charles Wood!

* *The Nineteenth Report of the Calcutta Diocesan Additional Clergy Society for* 1861-62.

ENGLISH PRESS.

WHAT IS TO BE DONE WITH GARIBALDI?

(L'Opinion Nationale—Paris. Liberal.)

People are beginning to be greatly concerned, both in Italy and France, about what ought to be done with Garibaldi.

Garibaldi, in fact, is not an ordinary rebel. Not to speak of his immense services, his unlimited devotion to the Italian cause, his perfect disinterestedness and his courage, all in short which has made his prestige and his popularity, it is still allowable to say in his defence that he has expressed by revolt—in an illegal, irregular, and allowable way, it is true—the feeling of all Italy, and that of his adversaries as well as his own. In such a situation, how is Garibaldi to be tried? How is he to be absolved? How condemned? Any absolution would be a scandal, any condemnation an injustice.

For our part, we only see one course, to grant a full amnesty, which should remove even the remembrance of the error of the generous patriot, after Garibaldi shall have given his word of honour not to take up arms again but at the regular order of the Government.

Garibaldi is an honest man. If he gives his word, he will keep it. But will he give it? Why think so, for his failure even must have been a lesson to him.

. . . . The Government must have guarantees; we dare affirm that the word of Garibaldi is a guarantee.

This guarantee obtained, why should not an amnesty efface the last trace of a generous error, which failure has sufficiently punished?

(*L'Opinion—Turin. Ricasolian. Sept. 5th*)

. . . . The position of the Ministry obliges it to try Garibaldi. But how can there be a trial? First of all, the Chamber must grant permission for a trial against Garibaldi, who is a deputy; and then would begin the first phase of the trial. There would be a long and irritating debate, a painful spectacle, which would keep the country in commotion for a long time. The permission granted to proceed against Garibaldi, what tribunal would Garibaldi and his many accomplices be brought before? The Senate of the kingdom constituted into a High Court of Justice?

How many would then be charged? How many families, relations, friends, who would be anxious and uncertain concerning the issue of the trial? What a ferment the country would be in!

Factions, and especially the Party of Action, would not lose so good an opportunity to provoke disorder and troubles. . . . Garibaldi before the Senate of the Kingdom, people would not see in him the rebel of Aspromonte, but a victim; and the same would be the case if he were sent before a Military Court. . . .

We cannot help seeing in the trial of Garibaldi the trial of Italy, of the union of Sicily and Naples, and all those principles on which we have founded our revolution.

And, besides, what would be the use of a trial? That Garibaldi may be declared guilty by an authoritative body, some will say; but the conscience of all Italy says this, and his own conscience tells him so.

As they all are agreed that the sentence of condemnation would be immediately followed by an amnesty, the trial becomes a formality and a dangerous formality; and, besides, the sentence will lose its efficaciousness if it be possible for it to be though that the Court, knowing the sentence would not be carried out, took less care to weigh the evidence carefully.

Before even the process began, therefore, the authority of the magistrates would be compromised, the country agitated, the irritation, the rancour, the hatred of the people increased, to do some months hence what much more wisely would be done now.

We cannot understand how these truths are lost sight of, or how it is wished to push things to extremities which the experience of all countries and the present condition of Italy condemns.

We can only attribute this to the open and manifest opposition between the position of the Ministry and the interests of the country.

The Ministry is obliged to call for a trial. The interests of the nation requires an amnesty, and the interest of the nation must prevail.

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